



Committee: PLANNING REGULATORY COMMITTEE

Date: MONDAY, 17 JULY 2023

Venue: MORECAMBE TOWN HALL

Time: 10.30 A.M.

A G E N D A

Officers have prepared a report for each of the planning or related applications listed on this Agenda. Copies of all application literature and any representations received are available for viewing at the City Council's Public Access website <http://www.lancaster.gov.uk/publicaccess> by searching for the relevant applicant number.

1 Apologies for Absence

2 Minutes

Minutes of meeting held on 19th June 2023 (previously circulated).

3 Items of Urgent Business authorised by the Chair

4 Declarations of Interest

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Planning Applications for Decision

Community Safety Implications

In preparing the reports for this agenda, regard has been paid to the implications of the proposed developments on community safety issues. Where it is considered that the proposed development has particular implications for community safety, the issue is fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Local Finance Considerations

Section 143 of the Localism Act requires the local planning authority to have regard to local finance considerations when determining planning applications. Local finance considerations are defined as a grant or other financial assistance that has been provided; will be provided; or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has, will or could receive in payment of the Community Infrastructure Levy. Whether a local finance consideration is material to the planning decision will depend upon whether it could help to make development acceptable in planning terms, and where necessary these issues are fully considered within the main body of the individual planning application report. The weight attributed to this is a matter for the decision-taker.

Human Rights Act

Planning application recommendations have been reached after consideration of The Human Rights Act. Unless otherwise explicitly stated in the report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

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|---|--|---|----------------------------|----------------------------|
| 5 | A5 22/01317/FUL | Hillside Farm Lancaster Road
Heaton With Oxcliffe Morecambe | Overton
Ward | (Pages 6 -
14) |
| | | Erection of 100MW energy storage facility including 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of 3m security fencing, access gates, seven 3m CCTV masts and associated balancing pond, landscaping, access track and parking and the change of use of existing farm house and farm building to ancillary offices. | | |
| 6 | A6 23/00505/VCN | Land East Of Hazelrigg Lane
Hazelrigg Lane Scotforth | University
Ward | (Pages 15 -
26) |
| | | Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, | | |

scale, landscaping detail, boundary treatment and agree details of construction).

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|----|---|---|-------------------------|----------------------------|
| 7 | A7 <u>22/01024/FUL</u> | Heysham Business Park
Middleton Road Middleton | Overton
Ward | (Pages 27 -
37) |
| | | Demolition of existing buildings and erection of employment units (Class E(g)/B2/B8) and a new gate house with associated service yards, parking areas, realigned spine road and landscaping. | | |
| 8 | A8 <u>23/00602/VCN</u> | Ward Field Farm Main Road
Galgate | Ellel Ward | (Pages 38 -
46) |
| | | Reserved matters application for the demolition of existing agricultural buildings, retention and residential conversion of stone barn for up to 2 dwellings and erection of up to 67 dwellings with associated access (pursuant to the removal of conditions 1 and variation of conditions 2,3,4,6, 7,8 and 10 on reserved matters application 19/01100/REM to account for details already approved by planning conditions and to accommodate changes to the development arising from the relocation of the proposed bus layby). | | |
| 9 | A9 <u>23/00375/FUL</u> | Land And Buildings South Of
Number 52 Low Road Middleton | Overton
Ward | (Pages 47 -
57) |
| | | Demolition of existing agricultural buildings and erection of 9 dwellings with access, parking, the raising of site levels and construction of retaining wall. | | |
| 10 | A10 <u>23/00120/FUL</u> | Green Ayre Public Open Space
Parliament Street Lancaster | Bulk Ward | (Pages 58 -
61) |
| | | Construction of climbing wall to the side of existing skate park. | | |
| 11 | A11 <u>23/00239/FUL</u> | Lancaster City FC Giant Axe Field
West Road Lancaster | Marsh
Ward | (Pages 62 -
65) |
| | | Retrospective application for the siting of a retail pod in car park. | | |

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|--|---------------------------------------|--|-----------------------------------|----------------------------|
| 12 | A12 23/00240/ADV | Lancaster City FC Giant Axe Field
West Road Lancaster | Marsh
Ward | (Pages 66 -
68) |
| Advertisement application for the retrospective display for the siting of a retail pod in car park. | | | | |
| 13 | A13 23/00649/FUL | Lancaster City Council White
Lund Depot White Lund Road
Morecambe | Westgate
Ward | (Pages 69 -
72) |
| Retrospective application for the temporary siting of 2 portable buildings to provide office space. | | | | |
| 14 | A14 23/00524/FUL | 58 Lister Grove Heysham
Morecambe | Heysham
South
Ward | (Pages 73 -
75) |
| Erection of a single storey extension to the rear and construction of a hipped roof extension above existing garage. | | | | |
| 15 | A15 23/00645/FUL | 29 Patterdale Road Lancaster
Lancashire | Bulk Ward | (Pages 76 -
78) |
| Erection of single storey rear extension. | | | | |
| 16 | Delegated List (Pages 79 - 89) | | | |

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Sandra Thornberry (Chair), Claire Cozler (Vice-Chair), Louise Belcher, Dave Brookes, Keith Budden, Roger Dennison, Tom Fish, Paul Gardner, Alan Greenwell, John Hanson, Jack Lenox, Joyce Pritchard, Robert Redfern, Sue Tyldesley and Paul Tynan

(ii) Substitute Membership

Councillors Mandy Bannon (Substitute), Martin Bottoms (Substitute), Martin Gawith (Substitute), Paul Hart (Substitute), Tim Hamilton-Cox (Substitute), Colin Hartley (Substitute), Sally Maddocks (Substitute), Paul Newton (Substitute) and Grace Russell (Substitute)

(iii) Queries regarding this Agenda

Please contact Eric Marsden - Democratic Services: email emarsden@lancaster.gov.uk

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support, telephone 582000, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 6th July 2023.

Agenda Item	A5
Application Number	22/01317/FUL
Proposal	Erection of 100MW energy storage facility including 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of 3m security fencing, access gates, seven 3m CCTV masts and associated balancing pond, landscaping, access track and parking and the change of use of existing farm house and farm building to ancillary offices
Application site	Hillside Farm Lancaster Road Heaton With Oxcliffe Morecambe
Applicant	Ms Donna Cooper
Agent	Mr Daniel Grierson
Case Officer	Mrs Petra Williams
Departure	Yes
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

None.

1.0 Application Site and Setting

1.1 The application site is located 3.6km to the east of Heysham Power Station just to the south of the A683 (Bay Gateway). The site is made up of a former farm house (which is currently being lived in) and a series of redundant agricultural outbuildings (a total of 7). Approximately 1.2KM to the west is the Walney Offshore Windfarm Extension facility. Access to the site is taken from the A683 via the existing access to Hillside Farm.

1.2 The site and wider area is set within a rolling drumlin landscape. The site is relatively level although there is a shallow fall to the south-east of the existing farmhouse. To the north west of the site lies some existing screening in the form of trees and hedgerows and then the A683 and to the east, south and west lie open agricultural fields. There are hedgerows that run through the western part of the site.

1.3 The site is relatively unconstrained but does fall within the District's Open Countryside and is within a Nature Improvement Area. The site does not lie within a protected landscape or a designated ecological designation although the site is located 600m to the west of the river Lune which is covered by the Morecambe Bay Ramsar, Special Protection Area, Special Area of Conservation and Site of Special Scientific Interest. The site lies within Flood Zone 1 and is identified as an Area Susceptible to Groundwater Flooding (>= 25% <50%).

2.0 Proposal

- 2.1 The application proposes the erection of an energy storage facility comprising 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of 3m security fencing, access gates, seven 3m CCTV masts and associated balancing pond, landscaping, access track and parking.
- 2.2 The submission also includes the change of use of two of the existing farm buildings of Hillside Farm for the proposed office and storage uses associated with the development of the above Energy Innovation Hub. The submission states that the remaining farm buildings will be redeveloped as a later phase of the project which does not form part of this application.
- 2.3 The energy storage facility would have a capacity of 100MWh, which would be able to export at a rate of up to 50MW per hour, giving it the ability to supply power to the National Grid at this rate for up to two hours. The 50 energy storage battery containers would be installed as 25 paired units, along with ancillary equipment. The battery units would be housed in modular powder coated steel containers. The site would be surrounded by a steel security fence and perimeter landscaping.

3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
22/01569/EIR	Screening request for erection of 100MW energy storage facility including 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of 3m security fencing, access gates, seven 3m CCTV masts and associated balancing pond, landscaping, access track and parking and the change of use of existing farm house and farm building to ancillary offices	Environmental Statement not required
22/01035/FUL	Erection of 100MW energy storage facility including 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of 3m security fencing, access gates, seven 3m CCTV masts and associated balancing pond, landscaping, access track and parking	Withdrawn
22/01047/EIR	Screening request for the erection of 100MW energy storage facility including 50 energy storage battery units within steel shipping containers, and ancillary development including substation, transformers, transformer compound, underground cabling, inverters, switchgear, control/switch room, office/site store building, creation of hardstanding, erection of security fencing and access gates and erection of 7 CCTV masts with associated balancing pond, landscaping, access track and parking	Environmental Statement not required
22/00394/PREONE	Erection of energy storage facility comprising up to 50 energy storage containers based on steel shipping	

	containers, substation, electrical control building, ancillary structures, underground cabling, creation of hardstanding, erection of security fencing and CCTV masts with associated attenuation pond and landscaping	
17/01307/FUL	Demolition of existing agricultural buildings/farm, erection of food production facility with associated landscaping, alterations to existing access, construction of a new internal road, erection of a detached farm building and creation of a pond	Permitted
17/01344/EIR	Screening opinion for the erection of a food production facility	Environmental Statement not required

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Lead Local Flood Authority	No objections subject to conditions for the submission of a final Surface Water Sustainable Drainage Strategy, a Construction Surface Water Management Plan, Sustainable Drainage System Operation and Maintenance Manual and Verification Report of Constructed Sustainable Drainage System.
Environment Agency	No comments received.
Planning Policy Team	Response provided highlights the relevant policy considerations.
Environmental Health	No comments received.
Natural England	No objection subject to condition to ensure appropriate mitigation. Awaiting comments in response to revised HRA
RSPB	No comments received.
Wildlife Trust For Lancashire	No comments received.
Tree Protection Officer	No comments received.
Engineering Team	No comments received.
Electricity North West	No comments received.
County Highways	No objections.
Waste And Recycling	No comments received.
Greater Manchester Ecology Unit	No objections agrees with the findings and recommendations of the shadow HRA. Recommends a biodiversity mitigation and enhancement plan.
Public Realm	No comments received.
Heaton With Oxcliffe Parish Council	No comments received.
United Utilities	No objection subject to a condition for the submission of sustainable surface water drainage scheme and a foul water drainage
County Archaeology	No objections.
Fire Safety Officer	Advice the developer should produce a risk reduction strategy as the responsible person for the scheme as stated in the Regulatory Reform (Fire Safety) Order 2005. Lancashire Fire and Rescue Service (LFRS) are not a statutory consultee in relation to this project, but will work and engage with the developer as this project develops to ensure it complies with the statutory responsibilities that we enforce.

4.2 The following responses have been received from members of the public:

13 items of public comment have been received in response to the application. Twelve of these are in support of the scheme (one appears to be a duplicate comment) and make the following points:

- Supports energy security and job opportunities to the local area.
- The use of land for battery storage is practical and it doesn't have to spoil the landscape, with a few trees, you will not even notice them unlike large wind turbines.
- It is a responsible proposal and a step in the right direction in terms of renewable energy storage, efficiency and it should ensure skilled employment in the area.
- Heysham has a rich history of innovation in energy and as we approach the decommissioning of Heysham Power Station it is vital we are looking at alternative uses of land which will promote high wage economy.
- Due to environmental issues and with the current rising cost of electricity we need to be more self-sufficient and able to store electricity.
- Batteries are discreet, non-invasive, unlike a wind turbine and solar farms.
- This is a small step towards energy independence, without the need for solar farms, wind turbines or fracking. The project can allow the area to expand and take advantage of the need for energy storage, management and security. If we don't allow responsible projects like this, we risk sending opportunities to neighbouring areas.

4.3 The one item of objection makes the following points:

- The proposals are not appropriate for the location and is an inappropriate use of farmland.
- The security fencing and CCTV towers will be visible from the highway nearby and will look unsightly.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle
- Landscape/visual impact
- Ecology/Biodiversity
- Flood risk/drainage
- Highways/access
- Other matters

5.2 **Principle of development** (NPPF paragraphs: 7 – 12 (Achieving Sustainable Development) paragraphs 152 and 155 (Planning for climate change); Development Management (DM) DPD policies), DM30 (Sustainable Design) and DM53 (Renewable Energy Generation in Lancaster District); Strategic Policies and Land Allocations DPD policies SP1 (Presumption in Favour of Sustainable Development) and SP4 (Priorities for sustainable economic growth)

5.2.1 The site is within the open countryside within which any proposals must have regard to all relevant policies in the Local Plan, particularly DMDPD rural area policies. The site is also within an area identified as suitable for wind energy. Policy DM47 allows certain economic developments including renewable energy schemes in appropriate locations and in accordance with other Local Plan policies. Policy DM53 sets out the Council's commitment to supporting the transition to a lower carbon future and support for proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts on stated considerations are or will be made acceptable.

5.2.2 On 30 January 2019, the council declared a climate emergency. Lancaster City Council subsequently conducted a climate emergency focused review of the adopted Local Plan, thus highlighting the importance that the climate emergency has in decision making in the district. The aim of the review is to ensure that the climate emergency declaration is fully considered within the planning policies for the district ensuring that climate change adaptation and mitigation is central to all new development. The Council is also committed to supporting the district in reaching net zero by 2030.

5.2.3 There is a need for this type of development which should be taken into consideration. The Overarching National Policy Statement for Energy March 2023 (EN-1), places emphasis on energy

storage infrastructure. EN-1 sets out that an increase in renewable electricity is essential to enable the UK to meet its commitments to reduce its carbon emissions. Energy storage technology is recognised as being key to delivering the path to net zero by 2050 and The Energy White Paper: Powering our net zero future (December 2020) places significant emphasis on electricity storage, acknowledging that novel energy storage technologies could enable the decarbonisation of the energy system more deeply at lower costs. Renewable energy sources (such as wind, solar and tidal) are intermittent and cannot be adjusted to meet demand. As a result, as the deployment of renewable generating sources becomes more widespread, the greater the need is for associated renewable energy storage capacity. The renewable energy that is stored in battery storage facilities is subsequently fed back into the grid at times when the availability of intermittent renewable energy sources is low. The document goes on to say that electricity storage can be used to compensate for the intermittency of renewable generation.

- 5.2.4 The proposed battery storage facility will be able to support existing renewable energy generation facilities nearby, will potentially support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO2e emissions, and support the Council's commitment to reaching net zero by 2030. The proposal will additionally improve the reliability of renewable energy supply in the district and support the agility of the grid in adapting to more decentralised renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure. The proposed scheme supports the requirements of NPPF through meeting the economic objective by supporting the provision of infrastructure and the reliable electricity needs of current and future generations, the latter of which meets the social objectives, and the environmental objective, particularly that of "mitigating and adapting to climate change" through the supply of renewable energy storage. The purpose of the development is in line with Policy DM53.
- 5.2.5 The application does seek to utilise part of an existing farm complex and therefore there is an element of the re-use of existing buildings, and this is to be supported. The schemes inclusion of the proposed operational and maintenance facility as an Energy Innovation Hub for the developing low carbon energy sector would also deliver economic benefits and would provide the equivalent of two full-time jobs. The battery storage facility would extend into what is currently agricultural land, and therefore there is some encroachment into the undeveloped Open Countryside.
- 5.2.6 In support of policy DM31 (Air Quality Management and Pollution), the site will contribute to increased grid capacity and flexibility to support the district's transition to a higher proportion of renewable and low carbon energy sources and potentially support the reduction in combustion-based energy production over the lifetime of the site.
- 5.2.7 As required by Policy DM53, a condition is recommended to ensure that if the infrastructure proposed becomes non-operational for a period in excess of one year, the development is to be removed in full and the site fully restored to its original condition within one year.
- 5.2.8 The proposed energy storage system would provide rapid-response electrical back-up to the electricity network and would represent an early deployment within the UK of a high-tech grid balancing facility. Subject to a detailed analysis of the impact on the DM53 considerations, particularly landscape character/visual amenity, biodiversity and highway safety as set out in the rest of this report, the proposal can be considered acceptable in principle.
- 5.3 **Design, landscape and visual impact** (NPPF: paragraphs 126-136 (Achieving Well-Designed Places), paragraphs 170 and 172 -177 (Conserving and Enhancing the Natural Environment); Development Management (DM) DPD policies DM29 (Key Design Principles) and DM46 (Development and Landscape Impact))
- 5.3.1 The site is within Low Coastal Drumlins Landscape Character Type. The landscape around the site is rolling in character and consists of a series of low hills consisting of glacial sand and gravel deposits, which appear to be eroded glacial drumlin features. The site is located between three of these low hills: Byroe Hill to the north-east which is topped by a radio mast, Windmill Hill to the south and Great Swart Hill to the south-west. A series of ponds in the surrounding area represent old gravel pits, exploiting the glacial sands and gravels in the area.

- 5.3.2 Whilst the site is within the Open Countryside there are a number of modern interventions to the landscape in the vicinity of the site, such as the A683, pylons and wind turbines, and the existing built form of the development site. The design of the facility is very utilitarian but this is inevitable given the use. The battery containers are also relatively low with a maximum height of 2.9 metres and the CCTV masts would be 3.1 metres high. Conditions are proposed to ensure the colour of the fencing and containers are sympathetic to the rural location to minimise visual harm. However, in the context of the energy and other utilitarian infrastructure in the wider locality the design will not be wholly out of place, especially given the designation of the area as suitable for wind energy.
- 5.3.3 The greenfield area to be developed is 2.4 hectares and clearly the proposal will have an impact on openness of the Open Countryside from the introduction of structures in an area currently free of any development. The site itself lies at an elevation some 10 to 20 metres or more below the summits of the surrounding low hills and would be very effectively screened from all but the immediately adjacent area by this topography. The tree lined A683 to the north, which partly runs on an embankment, provides significant additional screening from potential receptors including users of the road to the north. Furthermore, a series of substantial hedges surrounding an area of woodland to the south provide further screening from this direction. The scheme includes landscaping and the area of the site between the security fence and the application site boundary will be planted with appropriate native tree and shrub species to enhance the screening of the project. A buffer of new woodland will be planted along the southern edge of the energy storage compound and bunding planted with standard saplings to the north, west and south of the substation area to provide additional screening of the tallest site components.
- 5.3.4 The existing early to mid C19 farmhouse and an adjacent office building will be refurbished as associated office accommodation. The repair and refurbishment of these dilapidated buildings will provide a significant visual improvement in the appearance of the site. The redevelopment of the remainder of the site will be the subject of a further application.
- 5.3.5 Lighting within the site will consist of motion-sensitive lighting at the entrances to the various buildings and the storage units. This will be designed to be downward facing to minimise any light-spill. The precise details of lighting would be conditioned.
- 5.3.6 While the scheme will involve development on a greenfield site within the Open Countryside, the area where the battery storage units will be sited is within the hollow of a drumlin and as such will not be highly visible from surrounding viewpoints due to the surrounding topography. As such, the development is not considered to cause undue harm to the landscape or views from receptors in the local or wider area.
- 5.4 **Ecological Implications (NPPF paragraphs 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment) and EN7 (Environmentally Important Areas); Development Management (DM) DPD policies DM43 (Green Infrastructure) and DM44 (Protection and Enhancement of Biodiversity)**
- 5.4.1 The site lies within a Nature Improvement Area and is located approximately 600 metres to the west of the Lune Estuary Site of Special Scientific Interest (SSSI) which is also covered by the Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. The application is supported by a Shadow Habitat Regulations Assessment, this has been reviewed by Natural England who agree with the findings that the development of the site would not have significant impacts on these protected sites and that the site is not considered to be functionally linked land for over-wintering birds. The Council have adopted the Shadow Habitat Regulations Assessment.
- 5.4.2 The proposed development presents a risk that Great Crested Newts may be harmed as a result of developing the site. Under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), a Licence will be required from Natural England. In this instance, rather than seek the traditional mitigation Licence, the applicant has opted to enter into the District Level Licence (DLL) incentive offered by Natural England. A provisional Great Crested Newts DLL Impact Assessment & Conservation Payment Certificate has been received as part of this application. Under the traditional approach to licensing for the disturbance of Great Crested Newts, developers wishing to develop land where Great Crested Newts are known to be present must trap and relocate the species from the site before commencing development. Research by Natural

England has found that the amount of money spent on surveying, trapping and excluding with plastic fencing can outstrip that spent on habitat creation and management by a ratio of almost seven to one. Crucially, a lot of resource is used without there being significant benefits for the Great Crested Newts population. Significant weight must be attached to the fact that Natural England have granted a provisional Licence in this instance.

- 5.4.3 Ultimately, although Natural England have granted the provisional DLL, the Local Planning Authority must still have regard to Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 (the derogation tests) and must consider whether or not:
- i) That the development is 'in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment;
 - ii) That there is 'no satisfactory alternative'; and,
 - iii) That derogation is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'

The granting of the Licence from Natural England demonstrates compliance with test iii above. However, tests 'i' and 'ii' must still be considered by the Local Planning Authority.

- 5.4.4 With respect to the first test, the benefits of the scheme in terms of providing greater capacity for the storage of renewably sourced energy, and the environmental credentials of this, are detailed within the 'Principle of the development' section of this report. These benefits are considered to be in the public interest, and as such this test is considered to be passed. In terms of test two, the submission sets out that the selection of the site was the result of an extensive site assessment process, which considered land availability, previous planning applications approved at the site, grid connection availability and deliverability of the grid connection at the point of connection, along with the proximity to the Bay Gateway (A683) and links to the M6 motorway. The developer also investigated land at Hillhouse, Lancashire. However, that site would not be feasible as it is not possible to get a grid connection (over 1MW) at this site. As such, the impact upon the Great Crested Newt population is considered to be adequately mitigated through the DLL process, and it is considered that the proposal is acceptable with regard to the Conservation of Habitats and Species Regulations 2010.

- 5.4.5 The application is supported by a Preliminary Ecological Appraisal (PEA) as well as a Biodiversity Net Gain (BNG) assessment including the DEFRA 3.1 Matrix. The Preliminary Ecological Appraisal (PEA) sets out that the development site consists of predominantly of semi-improved and marshy grassland bordered by native species hedgerow. The buildings within the farm complex are known to support nesting hirundine or swifts, barn owl (potentially breeding) and have the potential to support roosting bats. The proposal involves the change of use of two of the existing buildings within the farm complex. These are the existing farm house and one farm office building which will provide ancillary offices and the PEA advises that works can be undertaken without the need for further bat surveys to these buildings.

- 5.4.6 The submitted BNG assessment provides a significant gain in hedge units which appears adequate and reasonable in the opinion of the GMEU consultee. Retained grassland habitat within the site will be enhanced to a good condition. The proposed landscaping and habitat enhancement will seek to deliver a biodiversity net gain within the site. The new tree planting will be located around the perimeter of the site and the species composition will be selected to match the species mix and width of other existing native woodland in the vicinity. The proposed tree planting will utilise appropriate native species including Oak, Alder, Birch and Holly. It is proposed that the full details of the planting and its aftercare would be agreed through an appropriate planning condition. Open areas within the site perimeter fence which are not required for operational reasons, will be planted with an appropriate wildflower mix. Precise details of final landscaping enhancement details, habitat creation and a management plan will be conditioned. Overall, the GMEU consultee is satisfied that the mitigation is adequate.

- 5.4.7 Habitats on and adjacent to the site are considered to represent suitable foraging and commuting features for great crested newt, bats and barn owl. The clearance of the site area for construction could have a negative effect on any protected or notable species within the area at the time and appropriate working methods are, therefore, suggested in the PEA to minimise any potential harm. No operational effects are anticipated as a result of the construction of the project, and the development has the advantage of causing very little disturbance to any present species or habitats

once in operation. A Construction Environmental Management Plan (CEMP) will be necessary to ensure adequate mitigation to noise, light, dust and water pollution during this construction phase. Mitigation in terms of timing of works is necessary to minimise the displacement or disturbance of bird species, whereby the nesting and wintering period should be avoided. Furthermore, visual and noise mitigation through fencing and boundary planting will be required to mitigate the impacts of the development throughout the lifetime of the proposal, in addition to controls on artificial lighting from site. Subject to the aforementioned measures, it is considered that the proposal can adequately mitigate the impacts upon the natural environment and protected species.

5.4.8 It is considered that the loss of land designated as a Nature Improvement Area would be outweighed by the benefits provided by the energy storage scheme in terms of significant carbon savings, employment and the Biodiversity Net Gain.

5.5 **Highway Implications** (NPPF paragraphs 104-109 (Promoting Sustainable Transport); Development Management (DM) DPD policy DM60 (Enhancing Accessibility and Transport Linkages)

5.5.1 The site would have a single point of access with the development utilising the existing access from the A683 (Bay Gateway). The access, which would provide both construction and operational access, would provide adequate road network capacity during both the construction and operational phases of the development. County Highways raise no objection to the development subject to a condition requiring the submission and agreement of a Construction Traffic Management Plan which is recommended.

5.5.2 The energy storage facility will generate infrequent vehicular trips, consisting of visits to the site by a light van or car no more than once a week. The scheme has been designed to be accessible to visitors with disabilities.

5.6 **Drainage** (NPPF Section 14 (Meeting the challenge of climate change, flooding and coastal change), Development Management (DM) DPD policies DM29 (Key Design Principles) and DM34 (Surface Water Run-off and Sustainable Drainage)

5.6.1 The proposed development will involve the installation of some impermeable elements, such as the battery containers and associated transformer infrastructure and cabinets, located on a broader area of permeable subbase. The development also involves the installation of approximately 0.36 ha of impermeable hardstanding. Infiltration tests indicate that attenuation and disposal via infiltration is not feasible. The creation of an infiltration basin located adjacent to the northern boundary. Hillside Farm to the west of the site is drained by an existing surface water system which discharges to a culverted watercourse to the west of the A683. Should ground investigations fail to locate the subterranean watercourse which is understood to run through the site then the attenuation basin will discharge to the existing connection at Hillside Farm via a pump. The submitted Drainage Strategy has been considered by the Lead Local Flood Authority and found to be acceptable in principle. Details of a final surface water sustainable drainage strategy will be controlled through planning condition.

5.7 **Residential Amenity** (NPPF section 12 (Achieving well-designed places); Development Management (DM) DPD policy DM29 (Key Design Principles)

5.7.1 The proposed electrical storage units would be solid-state in character with no moving parts apart from cooling systems integrated within each container. Potential noise emissions from the proposal during normal operation would, therefore, be very low in comparison with most forms of conventional development where there is a higher level of on-site activity and processes. Given the distance between the site and the closest sensitive residential receptor, Moss Side Farm, located around 500m to the north of the site, no adverse noise effects are anticipated.

6.0 Conclusion and Planning Balance

6.1 The proposed battery storage facility would support the expansion of renewable and low carbon energy generation in the district, contribute to reducing CO₂e emissions, and support the Council's commitment to reaching net zero by 2030. It will additionally improve the reliability of renewable

energy supply in the district and support the agility of the grid in adapting to more decentralised renewable and low carbon energy production. The proposed site is well placed due to its close location near existing renewable energy generation facilities and supporting transmission infrastructure.

- 6.2 The utilitarian appearance of the installation is a result of its function but will be seen in the context of more extensive and taller energy and other infrastructure in the vicinity of the site. Harm to the landscape and users of the nearby transport network will be moderate in the short to medium term reducing to negligible once the mitigation measures establish.
- 6.3 Any harm is outweighed by the environmental, economic, social and community benefits the development will realise. Accordingly, the proposal complies with policy DM53 and the local plan as a whole.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Approved plans	Control
3	Decommissioning and removal in the event of the site becoming non-operational	Control
4	Construction Environmental Management Plan	Pre-commencement
5	Construction Traffic Management Plan	Pre-commencement
6	Surface water drainage strategy, Construction Surface Water Management Plan, Sustainable Drainage System Operation and Maintenance Manual and Verification Report of Constructed Sustainable Drainage System.	Pre-commencement
7	Biodiversity mitigation and enhancement plan	Pre-commencement
8	District Level Licencing Confirmation	Pre-commencement
9	Details of materials: colour and finish to containers; details of fencing; details of surfacing; details of building materials and finishes.	Prior to development above ground
10	Details of external lighting	Prior to development above ground
11	Soft landscaping scheme	Prior to development above ground
12	Details and installation of access track and parking	Prior to development above ground/prior to first operation
15	Development in accordance Preliminary Ecological Appraisal	Control
16	Verification Report of Constructed Sustainable Drainage System	Prior to prior to first operation

Advice from Fire Safety Officer to be sent with decision notice.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A6
Application Number	23/00505/VCN
Proposal	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, scale, landscaping detail, boundary treatment and agree details of construction)
Application site	Land East Of Hazelrigg Lane Hazelrigg Lane Scotforth Lancashire
Applicant	Mr Paul Morris
Agent	Brooke Evans
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 This proposal relates to a 21.44-hectare piece of agricultural land located to the east of Hazelrigg Lane. The north of the site is predominantly agricultural land, the east is bordered by Proctor Moss Road and the River Conder. The River Conder curves westwards and runs along the southern boundary of the site. The topography of the site is varied and uneven but roughly runs down at a gradient between its highest point in the north-west to its lowest point in the south on the bank of the River Conder. The site is within the ownership of Lancaster University and is in close proximity to its main campus.
- 1.2 The site, which is identified as open countryside, currently comprises a number of separate fields marked out with hedgerows, a barn and a former hole previously belonging to the Forrest Hills Golf Club. The site which is predominantly utilised for grazing comprises mainly semi-improved grass land, with some areas of scrub and scattered trees. Additionally, there is a substantial woodland area within the centre of the site and wooded areas to the perimeter. The land is classified as Grade 3b which is not considered best and most versatile.
- 1.3 The site itself is not covered by any statutory heritage, ecological or landscape designations. However, there are five listed properties within 1km of the site, the site falls within the Impact Risk Zone of both the Lune Estuary Site of Special Scientific Interest (SSSI) to the west and the Bowland Fells SSSI to the east. The site is within 1km of the Forest of Bowland Area of Outstanding Natural Beauty (AONB) which lies to the east of the application site.

1.4 Most of the site falls within Flood Zone 1 and as such is at the lowest risk of flooding, a small section of land along the southern boundary of the site adjacent to the River Conder is within Flood Zones 2 and 3. The site also contains two national pipelines (Essar oil and Cadent gas) which run parallel to each other north to south roughly through the centre of the site, a third national pipeline (National grid) runs to the east of the site beyond the site boundary. An overhead powerline is located beyond the north-eastern boundary of the site.

1.5 Access is taken from an existing field access from Hazelrigg Lane. There are no Public Rights of Way (PRoW) which cross the site and the site is not open for public access.

2.0 Proposal

2.1 Planning application 21/01247/FUL granted planning permission for a solar farm including associated access and infrastructure such as substations, inverter stations, cabling, landscaping, CCTV and boundary treatments. This application is a Section 73 Variation of Condition application which seeks to vary a number of conditions (2,4,9,13,18,20 and 22) on the original planning application 21/01247/FUL. The purpose of varying those conditions is to enable alterations to the approved design which are needed following more detailed assessment of the site and the infrastructure required by the developer.

2.2 The changes that are being proposed as part of this Section 73 Variation of Condition application are:

1. Changes to the gate arrangement to include an inner security gate
2. Changes to the type of boundary fence to include 2 metre security fence around the perimeter of the site
3. Addition of internal access tracks to connect panel zones
4. Minor changes to panel locations within the site
5. An increase in maximum panel height
6. General Earthworks and ground stabilisation
7. Alterations to the approved panel foundations
8. Alterations to the drainage strategy
9. Erection of 2 weather stations
10. Alterations to the design of the substation
11. Inclusion of external transformers
12. Inclusion of inverters at the end of each panel array

2.3 This application is a Section 73 Variation of Condition application. It is not for this application to review the proposal in full, but to focus solely on the matters to which the variation of condition application relates. The principle of the construction of a solar farm at this has already been found to be acceptable.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
21/00957/EIR	Screening opinion for Construction of a 16MW solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	Environmental Statement not required
21/01247/FUL	Construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments.	Approved

22/00156/DIS	Discharge of condition 13 on approved application 21/01247/FUL	Condition partially discharged.
23/00373/PRENG2	Pre application advice for proposed amendments to planning permission 21/01247/FUL	Advice provided
23/00514/EIR	Screening opinion for the construction of a solar farm with associated access and infrastructure to include substation, inverter stations, cabling, landscaping, CCTV and boundary treatments (pursuant to the variation of conditions 2,4,9,13,18,20 and 22 of planning permission 21/01247/FUL to amend the approved layout, scale, landscaping detail, boundary treatment and agree details of construction)	Environmental Statement not required

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Scotforth Parish Council	Expresses concern regarding the increase in height of the solar panels being proposed through a Section 73 variation condition, rather than being detailed as part of the original permission. However, no objection is ultimately raised in this regard. Comments regarding the landscaping proposals in order to ensure mitigation as detailed in the Glint and Glare study. Comments made regarding surface water run-off control to reduce the risk of downstream flooding on the River Conder.
Ellel Parish Council	No response received.
Quernmore Parish Council	No response received.
Lead Local Flood Authority	No objection to the proposed variation of condition to allow for references to the original flood risk assessment and drainage strategy (January 2022, 17730-HYD-XX-XX-RP-FR-0001, Hydrock) to be superseded with references to the revised surface water management strategy (Surface Water Management Strategy - Lancaster University Solar Farm, Rev P02, 26/04/2023, AECOM).
Environment Agency	No objection to the proposed variations. Comments remain as per response/conditions to planning permission 21/01247/FUL.
Cadent Gas	No objection subject to an advice note being included on the decision notice.
County Highways	No response received.
National Highways	No objection
Environmental Health Officer	No response received.
Natural England	No response received.
Electricity North West	No response received.

United Utilities	No response received.
Arboricultural Officer	Comments made regarding the loss of a 40 metre section of hedge H1 located in zone 9 which is an historic field boundary. The loss of an addition tree (Tree T7) is acceptable and capable of being mitigated. Conditions requested regarding the submission and agreement of a Tree Protection Plan and an Arboricultural Method Statement, as well as final details of the security fencing.
Planning Policy Team – Lancaster City Council	No response received.
RSPB	No response received.
Public Rights of Way – Lancashire County Council	No response received.
Ramblers Association	No response received.
Canal and Rivers Trust	The development site falls outside of the Lancaster Canal consultation zone. The Canal and Rivers Trust have no comments to provide on this application.
Policy Group Lancashire CC - Mineral Safeguarding	No response received.
Engineering Team – Lancaster City Council	No response received.
SHELL UK	No response received.
South Lancaster Flood Action Group	No response received.
Forest Of Bowland AONB Officer	No response received.
County Landscape Officer	No response received.
County Archaeology	Recommends that the undischarged portion of Condition 13 from consent 21/01247/FUL is retained and repeated in any S73 consent granted.

4.2 The following responses have been received from members of the public:

- No responses received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Landscape and Visual Impact
- Highways
- Residential amenity
- Heritage and Archaeology

- Ecology and biodiversity
- Flood risk and drainage
- Other Matters
- Conditions

5.2 **Landscape and Visual Impact** (NPPF Section 2 Achieving Sustainable Development, Section 12 Achieving well-designed places, Section 15 Conserving and enhancing the natural environment, Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development), EN3: The Open Countryside and Review of the DMDPD Policies: DM29: Key Design Principles; DM46: Development Affecting Protected Landscapes and DM53: Renewable and Low Carbon Energy Generation).

5.2.1 **Site gate design** – The originally approved scheme featured double gate arrangement consisting of two 5 bar timber agricultural gates at the access to the site on Hazelrigg Lane. Condition 16 of the original application required the submission and agreement of the final details of the gated access arrangements along with details of fencing and other infrastructure. Whilst the first 5 bar timber agricultural gate will remain; it is now proposed to introduce an inner security gate set back into the site approximately 43 metres. This gate would have a height of 2 metres and would be a metal mesh design finished in green. The purpose of this taller metal mesh gate is to enhance the security of the site. Considering the location of the security gate set back into the site, the lower land levels relative to Hazelrigg Lane and the use of a dark green finish will ensure that this gate is relatively discreet. For these reasons, the proposed alteration to the gated access arrangement is considered to be acceptable.

5.2.2 **Perimeter fencing design** – The originally approved scheme featured a 2-metre-tall post and wire type fence encompassing the perimeter of the site. It is proposed to alter this to a 2-metre-tall mesh panel fencing of the same appearance as the security access gate. Whilst the original fencing was to ensure the security of the installation and prevent animal stock from entering the site, it is considered that the mesh panel fencing will offer higher levels of security in accordance with BRE guidance. The principle of amending the perimeter fence design to ensure appropriate security for the site is acceptable, however, the change in fencing will result in a perimeter fence that has a more industrial and solid appearance within the wider landscape views of the site, relative to a timber post and wire structure. For the lower parts of the site towards the valley bottom, the perimeter fence will be obscured from view, but the fence would be visible in the upper reaches of the site. To better assimilate this more substantial fence into the landscape, strategically placed landscaping consisting of hedges, trees and woodland planting is to be undertaken. This will not totally prevent views of the fencing but will help, along with its green colour, to better integrate the structure into the landscape. An updated landscaping masterplan for the site has been submitted and this details the way in which the applicant intends to landscape the entire site. This includes further landscaping in some of the more exposed areas, particularly around zone 8 and the boundary with Hazelrigg Lane and along the eastern boundary of zones 1 and 2 given the visibility of this part of the site from Proctor Moss Road. A condition requiring the implementation and long-term maintenance of this landscaping masterplan is recommended. Furthermore, relative to the previously approved post and wire fence, the proposed metal mesh fence consists of smaller openings. This design would hinder or even prevent the movement of animals across the landscape. This is particularly important considering the size of the development site and its connections with a wider network of habitats. To ensure the movement of wildlife is not prevented, a condition requiring the submission and agreement of the final fence design to incorporate measures to allow wildlife to pass through the site is recommended.

5.2.3 **Addition of internal access tracks to connect panel zones** – The originally approved scheme did not include the provision of vehicular access tracks within the site. These are now proposed to connect the panel zones and are required to meet the operational requirements of the solar farm, including the need for emergency access. It has been determined that given the topography of the site and potential for bad weather to affect access, that more formal access tracks are required. To install the tracks some minor level alterations and the creation of small retaining bunds will be required. The tracks and turning heads themselves will take the form of geogrids containing unbound stone. This is to limit the visual impact of the tracks, compared with a tarmac or concrete surface. Within the context of the wider solar farm, the inclusion of lengths of what in effect will appear as gravel tracks would be relatively inconsequential in landscape terms.

- 5.2.4 **Minor changes to panel locations within the site** – Given the requirement for the internal access tracks, there have been some minor changes to the layout of the panel arrays within the site. The total number of solar panels will be slightly reduced relative to the previously approved development from 35,932 panels to approximately 34,500 panels. Whilst the broad arrangement of panels remains largely the same, the key area of change is the omission of panels in the south-west corner of the site, which have been replaced by a proposed new wildlife pond. For the most part the changes in the panel locations are acceptable and they do not result in significant landscape implications, apart from in zone 9. In this zone, the amended panel locations initially proposed required the removal of a 40 metre long section of hedgerow which formed an historic field boundary. Existing features such as hedgerows, particularly where these are historic boundaries, should be retained. The applicant has agreed to remove the panels from this area within zone 9 so that this hedgerow can be retained. A revised general arrangement plan showing this revised layout has been provided.
- 5.2.5 **An increase in maximum panel height** – As part of the originally approved development, the solar panels were to have a maximum height of 1.75 metres above ground level. After further detailed design work, it has been found that the maximum height restriction of 1.75 metres would result in a capacity reduction of 25% for the solar farm. This is due to the varied topography of the site, which would mean that a panel height of 1.75 metres would result in the bottom of the solar panels clashing with the ground and therefore panels would not be able to be installed in several areas. To ensure sufficient energy generation and to accommodate ground level variations, it is therefore proposed to amend the maximum height of the solar panels to up to 3 metres. This is perhaps the most notable change proposed and the change which would result in the greatest landscape impact. It is unfortunate that the requirement for increased panel heights was not known at the time the original planning application was being determined. However, the fact is, without an increase in the height of the panels significant portions of the site would not be deliverable due to the varied topography. It is considered therefore that the increase in panel heights can be supported in landscape terms to ensure the proposal can be delivered and the public benefits that the proposal entails in the form of delivering renewably sourced energy and tackling the Climate Crisis, can be secured. Whilst the increase in height would not result in an unacceptable impact to landscape character when compared to the previously approved development, the landscape implications arising from this change must still be mitigated where possible. This will be in the form of enhanced landscaping within and around the periphery of the site which will over time establish and help to incorporate the infrastructure into the wider landscape views achieved from Proctor Moss Road, Bay Horse Road and further afield. Furthermore, the solar panels located within zone 8 are closest to and most visible from Hazelrigg Lane. The panels in this zone would only be required to be 2.5 metres as the gradient in this location is not as severe as other parts of the site. A condition limiting the maximum height of the panels in zone 8 to 2.5 metres is recommended.
- 5.2.6 **General Earthworks and ground stabilisation** – The approved development did not detail proposed earthworks or ground stabilisation works which are required to undertake the development. Due to the sloping gradient and uneven topography in certain parts of the site and evidence of historic landslips, general earthworks and ground stabilisation works will be required in parts of the site to make the ground suitable for the installation of solar panels. For the most part these earthworks are relatively small scale and do not result in notable landscape implications. The most notable change is the infilling of a pond which is located within zone 1 in the northeast corner of the site. This pond is understood to be a man-made feature created to enable livestock to access water. It is clearly currently well-used by livestock and does not hold much ecological value. The loss of this pond is supported to deliver panels in this area of the site. Moreover, in order to mitigate the loss of this pond, the applicant has committed to the creation of a new wildlife pond within the southwestern corner of the site, close to the access to Forest Hills. The location of the pond is shown on the general arrangement plan, however, no specific details of the pond such as its size, shape and associated landscaping have been provided. A new condition requiring these details, the long-term management of the feature and the implementation of this pond is recommended.
- 5.2.7 **Alterations to the approved panel foundations** – As part of the approved development, the solar panels were approved mounted on metal frames which were to be pile-driven into the ground. Whilst it is still proposed to utilise this type of foundation, after further investigation, because of varying ground conditions, topography and the presence of national gas pipelines across the site, alternative foundation types for the panels will be required in some areas. This Section 73 application proposes

the inclusion of four different foundation types to be used depending on what is considered the most appropriate foundation for the different conditions within the site. The four foundation options include anchor fixings, above-ground precast concrete ballast foundations, helical/screw piles, and the originally approved driven piles foundation type. The foundation design will be screened by the panel arrays above and will therefore not result in landscape implications. As suggested by the applicant, the exact location of each foundation type within the site can be confirmed at a later design stage and secured by way of an appropriately worded planning condition.

- 5.2.8 **Alterations to the drainage strategy** – The merits of the drainage strategy are discussed in greater detail in section 5.7 of this report. The changes in the drainage strategy do not result in any harmful landscape implications. In fact, the amended drainage design is an enhancement in landscape and biodiversity terms as it will incorporate above ground SuDS features including swales, culverts and a detention basin to provide a simplified and more natural drainage methodology for the site.
- 5.2.9 **Erection of 2 weather stations** – The previously approved application 21/01247/FUL did not include any proposals for weather stations. Weather stations are necessary to monitor the performance of the solar farm. A minimum of two weather stations are required to comply with relevant standards for solar farm developments. The weather stations take the form of 3.5 metre tall pylon with various equipment mounted to the frame. These are to be located adjacent to the already approved low voltage stations. In the context of the infrastructure required to deliver this development, the inclusion of two weather stations does not raise any concerns with respect to landscape implications.
- 5.2.10 **Alterations to the design of the substation** – The originally approved development included a substation building located roughly centrally within the site. It is now proposed to increase the size of this substation building to enable additional infrastructure to be housed within. It is proposed that the dimensions of the substation are increased to 4.4m (width) x 16.45m (length) x 4.77m (height) from the previously approved dimensions of 3m (width) x 8m (length) x 2.5m (height). The increase in size is acceptable, particularly as the materials used in the design of the substation are to be natural stone elevations and slate roof. The originally approved design included a very low ridge height to the hipped roof which provided an unusually squat appearance. It is now proposed to increase the ridge height and to utilise a dual pitch roof (as opposed to a hipped roof) to provide the appearance of a traditional field barn structure. Subject to the agreement of the final materials to be used in the construction of this substation building, which are to be required by condition, the change to the substation design is supported.
- 5.2.11 **Inclusion of external transformers** – The original application included 7 inverter stations which are required to connect the panels to the main substation. These inverter stations are distributed throughout the site and are sited within green metal containers. In addition to these inverter stations, a high voltage outdoor transformer will now need to be sited next to each inverter station. These outdoor transformers will be enclosed by green profiled metal cladding sheets to match the appearance of the adjacent inverter stations container. The inclusion of these outdoor transformers within the site is acceptable in landscape terms and within the context of a large-scale solar farm development.
- 5.2.12 **Inclusion of inverters at the end of each panel array** – It is proposed to include a total of 60 inverters within the scheme. These are required to convert the direct current generated by the solar panels into alternating current that can be used as electricity. The inverters would be located at the end of each row of solar panels and they are to be installed below the solar panels themselves shielded by a metal roofing sheet. Housing the inverters beneath the panels is an efficient use of space and prevents the need for separate additional inverter shelters to be constructed throughout the site. This approach is proposed to limit the visual impact of the inverters and is acceptable.
- 5.2.13 The original planning application establishes the baseline for the development of this site. When considered against the already approved development, the proposed alterations will result in some minor changes to the appearance and layout of the development. Overall, it is clear the solar farm as a whole will undoubtedly change the character and appearance of the site and this in turn will have up to a moderate adverse effect upon the landscape character and visual amenity. In the context of the approved scheme, the changes proposed would have relatively minor implications within respect to landscape harm and do not raise significant concerns when viewed in context of the approved scheme. It must also be acknowledged that significant mitigation is proposed in the

form of robust additional planting and habitat creation which will in the longer term serve to assimilate the infrastructure into the wider landscape views. Weighing this in the balance the negative visual effects arising from the changes proposed as part of this Section 73 application will be offset by the overarching climate change benefits arising from the proposal.

5.3 **Highways (NPPF Section 9 Promoting Sustainable Transport, and Review of the DMDPD Policies: DM29: Key Design Principles and DM60: Enhancing Accessibility and Transport Linkages).**

5.3.1 The proposed access to the site remains as per the originally approved planning application. The gated access layout remains the same and the setting back of the two gates will allow vehicles including larger vehicles to pull off the highway. The application is also supported by an updated Glint and Glare assessment which considers the amended layout of the panels and the increase in the panel height of up to 3 metres. At the time of writing this report, County Highways have not provided a consultation response to this Section 73 application. However, given County Highways did not object to the original planning application, subject to planning conditions, and the fact that the proposal alterations do not alter the interface of the development with the highway network, it is not envisaged that County Highways would highlight concerns with the proposed alterations. The previously recommended conditions regarding a Construction Traffic Management Plan, survey of the adopted highway, surfacing of the access, provision of visibility splays, implementation of offsite highway works, and provision of wheel washing facilities can all be repeated on this Section 73 decision.

5.3.2 The application has been reviewed by National Highways with respect to possible impacts upon the strategic road network. National Highways confirm that they have no objection to the proposed variations to the scheme.

5.4 **Residential Amenity (NPPF Section 12 Achieving well-designed places and Review of the DMDPD Policies: DM29: Key Design Principles).**

5.4.1 As mentioned above, the previous planning application establishes the baseline for the development of this site. The development was at this time considered to be acceptable with respect to its impacts upon the nearest residential receptors. Considering the proposed changes to the panel locations and panel heights, the impact of development with respect to glint and glare have been reviewed. The Glint and Glare Addendum report sets out that, despite the changes proposed, the impact of the development with respect to glint and glare remains the same as the previously approved scheme. This is because the impacts of the revised layout and increased panel heights will be comparable to the previously modelled scenario. This original Glint and Glare study concluded that mitigation is required for two dwellings, these being Dwelling 4 (Eastrigg) and dwelling 44 (Andalucia). Mitigation is provided in the form of adequate separation distances of over 30m (Eastrigg) and 115 metres (Andalucia) from the reflecting area of panels; strategically positioned screening in the form of proposed landscaping and the intensity of reflection from the panels which would be similar to that of still water rather than the typical reflections from glass or steel which are more intense. Overall, the assessment concludes no further mitigation other than the additional planting proposed on the southern and eastern boundaries of the site is required. As with the original development, the applicant confirmed a commitment to plant the screening closest to these residential properties during the construction phase to allow a greater amount of time for it to establish and grow prior to the operation phase. A condition will be included to secure these works within a specified timeframe as per the original consent.

5.4.2 This Section 73 application is accompanied by an updated noise assessment to reflect the alterations proposed, particularly the installation of external plant (external transformers and inverters). The originally approved scheme was accompanied by a Construction Management Plan (CMP). The already approved CMP sets out how the construction phase will be managed to ensure that traffic, noise, dust and disturbance arising from the construction phase of the development will be kept to a minimum. The noise assessment concludes that the rating levels at all locations will be well below existing background sound levels, and as such there will be no observed adverse effects and therefore no additional mitigation measures are required as part of this Section 73 application.

5.5 **Heritage and Archaeology (NPPF Section 16 Conserving and enhancing the historic environment, Strategic Policies and Land Allocations DPD Policy SP7: Maintaining Lancaster District's Unique Heritage and Review of the DMDPD Policies: DM29: Key Design Principles, DM37: Development**

affecting listed buildings, DM39: The Setting of Designated Heritage Assets, DM41: Development affecting Non-Designated Heritage or their settings and DM42: Archaeology).

- 5.5.1 The proposed changes as described above do not give rise to any further heritage and archaeological implications above those which were discussed and found acceptable as part of the original planning application. What is more, the Lancashire County Council Archaeological Advisory Service (LAAS) have reviewed this Section 73 application and confirmed that they are satisfied with the proposals. LAAS have recommended that condition 13 of the original consent be updated to reflect the Written Scheme of Investigation for the programme of archaeological works which has already been approved (as part of discharge of condition application 22/00156/DIS) and to require the remaining programme of archaeological works to be undertaken in accordance with the already agreed details. This is recommended.
- 5.6 **Ecology and Biodiversity** (NPPF Section 15 Conserving and enhancing the natural environment, Strategic Policies and Land Allocations DPD Policy SP8: Protecting the Natural Environment, and Review of the DMDPD Policies: DM29: Key Design Principles, DM44: Protection and Enhancement of Biodiversity and DM45: Protection of Trees, Hedgerows and Woodland).
- 5.6.1 The proposed changes to the approved development would result in the loss of a man-made pond which is utilised by livestock. Given its use by livestock, this pond does not hold significant ecological value. The Great Crested Newt (GCN) survey concluded that the pond did not have the potential for habitation by GCN. The site also had limited habitats for toads and other amphibians, and these will not be impacted by the proposed development. To allow panels to be situated in zone 1, it is proposed to infill this pond and regrade land in this area. This would result in the loss of this man-made feature. In order to mitigate the loss of this pond, the applicant has committed to the creation of a new wildlife pond within the southwestern corner of the site, close to the access to Forest Hills. The location of the pond is shown on the general arrangement plan, however, no specific details of the pond such as its size, shape and associated landscaping have been provided. A condition requiring these details, the long-term management of the feature and its implementation is recommended.
- 5.6.2 Local policy DM44 and national planning legislation and the recently adopted Environment Act 2021 requires sites to achieve biodiversity net gain (BNG). A BNG Assessment was carried out for the original planning application, and it was calculated at this stage that the development would result in a biodiversity net gain of 9.55 habitat units, which equates to a 331.07% betterment based upon the sites current ecological condition. At the time of writing this report, the BNG Assessment has not been updated for this Section 73 application and so the impact of the proposed changes, particularly the creation of new ponds/detention basin and other SuDS features is not known. However, what is certain is that the biodiversity net gain result from the development and the associated site wide biodiversity management would still be significant, potentially greater still, and far in excess of the policy requirement of 10%. The biodiversity enhancement of the site will be secured in the long term through the updated biodiversity management plan which can be secured by condition.
- 5.6.3 An Addendum to the approved Arboricultural Impact Assessment (AIA) has also been submitted with this application. The original survey recorded a total of 4.0119ha of tree cover between individual trees, groups of trees and woodland areas. The updated survey contained in the addendum recorded trees at a greater resolution than the original survey, resulting in an updated baseline tree cover of 4.3679ha. The original application included the loss of 0.2638ha or 6.4% of tree canopy cover. The new application will result in loss of 0.1199ha or 2.7% of tree canopy cover associated with the site. In other words, the impact of development with respect to loss of tree coverage is significantly less than that which was calculated (and approved) for the original application.
- 5.6.4 Additional losses resulting from the new proposals detailed within this Section 73 application are a single individual tree (T7) which is required to be removed to facilitate the construction and safe usage of a new access track. The loss of T7, a mature ash tree, is acceptable as its loss will be mitigated by the significant tree planting proposals. This application also proposed the removal of a 40-metre length of hedge (H1) which interacted with the updated solar panel locations in zone 9. The removal of H1 was more problematic as this hedgerow forms an historic field boundary present on the OS map surveyed in 1845, this also indicates that the hedgerow could be an 'important' hedgerow as described within the Hedgerow Regulations 1997. Every effort should be made to

retain such hedgerows, given their historic and biodiversity value. The applicant has amended the proposed layout of the panels within zone 9 to enable the retention of this length of hedge, which is welcomed. An updated site layout plan indicating this change and an updated tree works plan including the retention of this hedge have been provided. A condition to ensure the development is undertaken in accordance with the AIA addendum is recommended.

5.6.5 The more robust security fence, which will require concrete foundations, will in some areas pass through groups of trees and hedgerows. As recommended within the AIA addendum, a detailed Tree Protection Plan and Arboricultural Method Statement will be required, and this can be secured by condition.

5.7 **Flood risk and drainage (NPPF Section 14 Meeting the challenge of climate change, flooding and coastal change and Review of the DMDPD Policies: DM33 Development and Flood Risk and DM34 Surface Water Run-off and Sustainable Drainage).**

5.7.1 This Section 73 application seeks to make amendments to the originally approved surface water drainage strategy which was considered to be overly engineered and complex, relying on a network of below ground drains within each solar panel zone and connecting to detention basins. The updated surface water drainage strategy also reflects the minor alterations to layout and installation of access tracks. The proposal is to incorporate a network of above ground SuDS features including conveyance and detention swales to capture overland flows which ultimately connect to a large detention basin in the lower part of the site and which would feature a controlled discharge into the River Conder. This simplified outline Surface Water Management Strategy will not alter the performance of the development's drainage requirements. The Lead Local Flood Authority (LLFA), as statutory consultee, have reviewed the proposed amendments and are satisfied with the details proposed. On this basis, the LLFA raise no objection to the proposed changes to the management of surface water within the development.

5.8 **Other matters**

5.8.1 In addition to conditions 2, 4, 9, 13, 18, 20 and 22 being varied as proposed by the applicant, it is also proposed that conditions 1 (timescale), 3 (approved landscaping details), 7 (25-year consent), 12 (provision of visibility splays) and 16 (material details) also be updated accordingly to bring these into line with the amended development. In addition to this, in light of the changes to the scheme, additional conditions will be required these being 24 (development to accord with AIA addendum), 25 (Submission of Tree Protection Plan and Arboricultural Method Statement), 26 (details and installation of new pond) and 27 (zone 8 height restriction) in order to reflect the changes to the development and to ensure the development is acceptable with respect to these matters.

6.0 Conclusion and Planning Balance

6.1 Planning permission 21/01247/FUL sets the baseline for the development of this site. The amendments proposed, in particular the use of more robust security fencing and the increase in the height of the panel arrays would result in some further minor adverse landscape and visual impacts to the character of the site, particularly in wider landscape views. However, these negative effects would be ameliorated through appropriate mitigation including retention of existing vegetation, and an extensive and robust landscaping scheme. These additional adverse effects are more than sufficiently offset by the significant contribution the development will make towards the Council's initiative to tackle climate change and the significant contribution to the biodiversity value of the site through a range of biodiversity enhancements. On balance the considerable environmental and public benefits of the scheme are considered to far outweigh the adverse impacts arising from the amendments proposed as part of this Section 73 Variation of Condition application. As such, in accordance with local and national policy, the application is recommended for approval.

Recommendation

Those conditions 2, 4, 9, 13, 18, 20 and 22 be varied as proposed by the applicant, that conditions 1, 3, 7, 12 and 16 be updated accordingly and that conditions 24, 25, 26 and 27 be included to reflect the changes to the development hereby recommended for approval.

Condition no.	Description	Type
1	Standard timescale commencing 9 March 2022 – Updated to reflect original planning permission date.	Standard
2	Approved plans – Updated to reflect approved plans list.	Standard
3	Implementation of approved landscaping scheme – Updated to reflect approved details.	Specified time
4	Outline surface water management plan – Updated to reflect approved details.	Control
5	Work outside bird nesting season	Control
6	Construction Traffic Management Plan	Control
7	25 year consent and decommissioning scheme – Updated to reflect approved details.	Control
8	Submission of cabling details	Prior to commencement
9	Final Sustainable Drainage Strategy – Updated to reflect approved details.	Prior to commencement
10	Survey of the adopted highway	Prior to commencement
11	Surfacing of access	Prior to commencement
12	Provision of visibility splays – Updated to reflect approved details.	Prior to commencement
13	Implementation of a programme of archaeological works – Updated to reflect approved details.	Prior to commencement
14	Invasive species method statements	Prior to commencement
15	Offsite highways work	Prior to commencement
16	Details of materials for substation building, details of final fence design to facilitate the movement of wildlife, details of foundation locations – Updated to reflect approved details.	Prior to construction
17	Operation and Maintenance Plan & Verification Report of Sustainable Drainage System	Prior to first use
18	Submission of details and implementation of final BNG measures – Updated to reflect approved details.	Prior to first use
19	Construction Phase Surface Water Management Plan	Prior to commencement
20	Submission and implementation of final landscape and biodiversity management plan – Updated to reflect approved details.	Control
21	Wheel washing facilities	Control
22	Implementation of hedgerow planting to mitigate glint and glare – Updated to reflect approved details.	Specified time

23	Employment Skills Plan	Prior to commencement
24	Development in accordance with AIA addendum – New condition to reflect approved details.	Control
25	Submission and agreement of a Tree Protection Plan and Arboricultural Method Statement – New condition to reflect approved details.	Prior to commencement
26	Details and installation of new pond – New condition to reflect approved details.	Specified time
27	Zone 8 panel heights – New condition to reflect approved details.	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Officers have made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A7
Application Number	22/01024/FUL
Proposal	Demolition of existing buildings and erection of employment units (Class E(g)/B2/B8) and a new gate house with associated service yards, parking areas, realigned spine road and landscaping
Application site	Heysham Business Park Middleton Road Middleton Lancashire
Applicant	AMA FIC Ltd
Agent	Mr Bill Davidson
Case Officer	Mrs Eleanor Fawcett
Departure	No
Summary of Recommendation	Approval, subject to conditions

1.0 Application Site and Setting

- 1.1 The site is located on the northern edge of an existing employment area, known as Heysham Business Park. It is accessed via Main Avenue which links to Middleton Road just to the north of the village of Middleton. This road also provides access to Middleton Waste Water Treatment Works, which lies to the west of the site, and the emergency access for Heysham Power Station, which is approximately 1.2 kilometres to the north west. The site contains two existing industrial buildings and a gatehouse, in addition to parking and part of the access road through the wider employment estate and a smaller area of undeveloped land. The land is relatively level but rises beyond the site boundary to the east.
- 1.2 Middleton Nature Reserve is located to the east and the north of the site, with the Middleton Former Refinery Biological Heritage Site (BHS) covering the area to the north, separated by the highway. Carr Lane Meadows Biological Heritage Site is to the south of the site and is separated by other units on the business park. There is also a public footpath along the northern boundary of this providing a link from Carr Lane to Morecambe Bay. The Lune Estuary Site of Special Scientific Interest (SSSI) is located approximately 700 metres to the west at its closest point. This is also covered by the Morecambe Bay Special Area of Conservation (SAC), Special Protection Areas (SPA) and Ramsar Site.
- 1.3 The site lies within the detailed emergency planning zone for Heysham Power Station. Some of the land to the east is identified as a historic landfill site. Heysham Business Park is allocated for employment in the Local Plan and is also within the wider Strategic allocation of Heysham Gateway. It is also covered by a site allocation for waste within the Joint Minerals and Waste Local Plan.

2.0 Proposal

- 2.1 Planning permission is sought for the erection of a replacement gatehouse at the entrance to the business park in addition to four new employment units to the east of the spine road through the

estate, Stalls Road. The buildings are proposed to be used in any combination of the following use classifications: E(g)(i)(ii)(iii) offices, research and development and light industrial; B2 general industrial; and B8 storage and distribution. Two of the units are proposed on currently unused land at the northern edge of the employment site and would be within one building with their own parking and turning facilities. This has been relatively recently cleared but did contain low vegetation. The gatehouse would be sited roughly in line with the parking at the north of the site and would also involve a reconfigured access road to have a vehicular entrance and exit on either side of the new building. The further two buildings would replace existing units, one of which has already been demolished. The scheme also includes new landscaping and a new footway along part of Stalls Road.

2.2 The building containing units B1 and B2, at the north of the site, would extend over two floors with an external ground floor area of 464 square metres and a total floor area of 531 square metres to B1 and a ground floor area of 557 square metres and total floor area of 613 square metres to B2. All doors, curtain walling and windows would be grey powder coated aluminium framed double glazed units, and the walls would be finished in mostly grey with some white horizontal cladding. The building would have a shallow dual pitched light grey roof containing rooflights. There are 25 car parking spaces proposed within plot B, split between unit B1 and B2 with 2 of these containing electric vehicle charging points and 2 being accessible spaces, in addition to 4 cycle and 2 motorcycle spaces.

2.3 Units C1 and C2 would be located to the south and would each have a separate access and parking and turning facilities directly off Stalls Road. Unit C1 would extend over two floors with an external ground floor area of 647 square metres and a total floor area of 762 square metres. Unit C2 would also be over two floors, with an external ground floor area of 604 square metres and a total floor area of 669 square metres. The finish to these units would be similar to the building containing units B1 and B2. Both units would have 16 car parking spaces with 1 containing an electric vehicle changing point and one being an accessible space, in addition to 4 cycle spaces and 2 motorcycle spaces.

3.0 Site History

3.1 The wider business park has an extensive planning history and was part of a former petrochemical works that supplied aviation fuel during the second world war and, post war, it became a fertiliser plant for many years. The submission sets out that, for approximately 10 years until 2013, the business park was occupied by a tissue producer and after this the accommodation was rented out and some of the site was used for commercial waste facilities. Most of the planning history is prior to 2010 and the most recent is listed below, but these mostly do not relate directly to the current application site.

Application Number	Proposal	Decision
22/01046/EIR	Screening opinion for the demolition of existing buildings and redevelopment comprising the erection of a new gate house and 3 units (use class E(g) /B2/B8) with associated service yards, parking areas, realigned spine road and landscaping	ES not required
22/00216/PRE3	Level three pre-application advice for regeneration of existing business park	Pre-application advice and Councillor Engagement Forum
15/01068/EIR	Screening request for the erection of a wind turbine (116m high from ground to blade tip)	ES required
15/01226/CCC (Consultation on County application LCC/2015/0092)	Retrospective application for the change of use from go-kart track to waste transfer station. retention of two demountable units, a bale shed and plant and equipment and erection of a storage and sorting building	Refused (County Council application)
13/00945/CCC	Retrospective application for the change of use from go-kart track to waste transfer station, erection of a bale shed and treatment line and consent for an additional shed	Refused (County Council application)

(Consultation on County application 01/13/0945)		
12/00949/CCC (Consultation on County application 01/12/0949)	Retrospective application for change of use of land from go kart track to waste transfer station	Refused (County Council application)
04/00970/FUL	Erection of a new gatehouse	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Middleton Parish Council	<p>Object. Raise concerns about the cumulative increase in traffic from a number of smaller developments on the site in particular:</p> <ul style="list-style-type: none"> • Road safety – the analysis does not cover Middleton Road is unsuitable for the existing traffic and is already dangerous with no cycle infrastructure and sections with no footway, the speed limit is not always followed and the railway bridge provides a narrow, blind crest; • Pedestrian accessibility – there is no footpath connecting the site to Heysham or Overton • Cycle accessibility – there is no safe route to Heysham/Lancaster/Morecambe • Bus accessibility – the submission fails to consider the infrequent timetable • Estimated trip generation – the methodology in the Transport Assessment does not consider HGV traffic and Middleton Road is already unfit for the existing HGV traffic
Planning Policy Team	No comments received
Environmental Health	<p>No objection subject to conditions requiring the following:</p> <ul style="list-style-type: none"> • Investigation and remediation of contamination; • Details of external lighting; and • Details of secure cycle storage facilities.
Arboricultural Officer	No objections. Originally questioned the inclusion of wildflower meadows in this context but this has been changed to scrub and shrub planting with only a thin wildflower strip.
Economic Development	No comments received
Engineering Team	No comments received
Civil Contingencies Officer	No comments received
Lancashire County Council Resilience Service (Emergency Planning)	No objections.
County Highways	<p>No objection subject to a financial contribution of £4,580, based on the Gravity Model, to highway infrastructure projects across the District, and the following conditions:</p> <ul style="list-style-type: none"> • Construction management Plan • Wheel cleaning facilities • Scheme for construction of access into the site and the footway connection.
Lead Local Flood Authority	<p>No objection subject to conditions requiring submission of the following:</p> <ul style="list-style-type: none"> • Final Surface Water Sustainable Drainage Strategy; • Construction Surface Water Management Plan; • Sustainable Drainage System Operation and Maintenance Manual; and • Verification Report of Constructed Sustainable Drainage System.

Greater Manchester Ecology Unit	Comments. The amended landscaping scheme is acceptable and can be conditioned and the 30-year management plan has been amended in line with recommendations and is acceptable. The biodiversity net gain metric has been updated and indicates a net gain of 13%. Also recommend conditions requiring: the development to be carried out in accordance with the measures to protect amphibians in the Preliminary Ecological Appraisal Report; no works to trees or shrubs and the demolition of the building within the bird nesting season without a bird survey indicating their absence; a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed and small-leaved cotoneaster; and provision of bird boxes on the new build and the creation of amphibian hibernacula along the eastern boundary. Recommend an informative in relation to the potential presence for bats.
Natural England	No objection subject to securing the following mitigation through condition: <ul style="list-style-type: none"> • An appropriate drainage scheme; and • Information to employees regarding the sensitivities of the designated sites to recreation vis information boards.
The Wildlife Trust for Lancashire	Original objection and further comments. Concerns about the clearance of a large area of habitat for Great Crested Newts during hibernation period and likelihood of an offence and the risk that the development will have on priority species. The loss of this area of brownfield habitat should be mitigated for within the local ecological network and the loss of the site removes a buffer strip to protect the Nature Reserves. Concerns about the baseline used for the biodiversity net gain assessment including how the land has been classified, as it is previously developed, and because it has already been cleared. Also raise concerns about the proposed planting/ biodiversity improvements to meet an appropriate net gain, including the condition that the trees have been given in the metric, the proposed species rich grassland and the small area proposed for the habitat creation.
EDF	No comments received
Office of Nuclear Regulation	No comments received
Lancashire Fire and Rescue	No comments received

4.2 No responses have been received from members of the public.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of the development
- Scale, siting and design
- Traffic impacts, access, parking and sustainable travel
- Ecological Impacts
- Flood Risk and Drainage
- Contamination
- Climate Change Measures

5.2 **Principle of the Development** NPPF paragraphs: 81 and 83 (Building a strong, competitive economy); Strategic Policies and Land Allocations (SPLA) DPD policies SP3 (Development Strategy for Lancaster District), SP4 (Priorities for Sustainable Economic Growth), SP5 (The delivery of new jobs), SG13 (Heysham Gateway, South Heysham), EC1 (Established Employment Areas) and EC5 (Regeneration Priority Areas); Development Management (DM) DPD policies: DM14: Proposals Involving Employment Land and Premises; Joint Lancashire Minerals and Waste Local Plan policy WM3 (Local Built Waste Management Facilities)

5.2.1 Heysham Business Park is allocated for employment in the Local Plan under Policy EC1 of the Strategic Policies and Land Allocations (SPLA) DPD. It has a long history of employment uses, however the current allocation includes a slightly larger area than within the previous Local Plan, covering land to the east of the application site. The business park also falls within the wider

Heysham Gateway allocation, which is covered specifically by policy SG13 of the SPLA DPD. The Heysham Gateway area has a history of heavy industrial use which has left a legacy of contamination and dereliction. In addition, strategic environmental and transport issues have proved an impediment to investment and development. The purpose of the allocation is to seek to regenerate and expand existing employment areas in South Heysham to create more modern and fit-for-purpose employment opportunities, building on the strong linkages to the M6 via the Bay Gateway and access to the Port of Heysham.

5.2.2 Policy SG13, relating to Heysham Gateway, sets out that proposals for employment uses (Office / Light Industrial, General Industrial and Storage and Distribution) that deliver effective regeneration and improvement to the area would be supported and should address the following:

- Be complementary to the wider uses of the South Heysham and Middleton area addressing amenity issues appropriately;
- Include improvements to the local transport network, including improvements to Imperial Road and Carr Lane and to sustainable transport linkages;
- Protect the Nature Reserves of Middleton, Heysham and Heysham Moss and, where possible, provide improvements to the nature reserve in terms of future management, amenity, security and access;
- Contribute to improvements to the green infrastructure network in the Heysham Gateway area, including contributions towards the improvement of land to enhance amenity value;
- Demonstrate how the SSSI and Biological Heritage Sites will be protected and enhanced and how any residual impacts can be off-set via habitat creation and enhancement. Also, to deliver positive benefits to biodiversity through the restoration, enhancement and creation of appropriate semi-natural habitats within and through the Heysham Gateway Area to maintain, restore and create functional ecological networks;
- Be sympathetic to their surroundings, particularly in the context of sensitive landscapes, seascapes and environments of the Lune Estuary and Morecambe Bay;
- Address any remaining residual contamination issues and water quality matters;
- Ensure that impacts relating to air quality, either via the construction or operation phases of development, are considered and appropriately mitigated;
- Address issues of drainage, with the Council supporting the preparation of a comprehensive drainage strategy for the wider gateway area; and
- Where possible to do so, explore opportunities aimed at minimising energy use, reducing emissions and maximising energy efficiency.

5.2.3 The general appearance and quality of the existing buildings within Heysham Business Park is poor, and the estate is in significant need of regeneration and improvement. This is a relatively small-scale proposal, in terms of the overall estate, but will provide much needed investment with fit-for-purpose employment units and improve the overall environmental quality of the area and the entrance to the wider site. The detailed considerations are discussed separately below, however the principle of the replacement of existing business units and gatehouse and an additional unit is acceptable in principle and complies with Local Plan policy. The use of the buildings can be conditioned to ensure that they remain in employment use in compliance with the allocation. Land at the Port of Heysham and the wider Heysham Gateway area has also been identified in the Minerals and Waste Local Plan, prepared by Lancashire County Council and adopted in 2013. Land at Heysham Business Park is identified under Policy WM3 for local built waste management facilities. It gives support for development of this type in this location, however it does not preclude other uses.

5.3 **Scale, siting and design** NPPF: paragraphs 126-134 (Achieving well designed place); Development Management (DM) DPD policies DM29 (Key Design Principles)

5.3.1 The application proposes the erection of three buildings for employment use in addition to a replacement gatehouse. These would be partly on the site of existing buildings, but would also extend the existing developed area onto an unused area of land at the north of the business park. The land where the buildings are proposed to be sited is relatively level and similar to the adjacent, existing development. There are limited public views of the site given that Main Avenue is not a through road, although the nearby nature reserve is publicly accessible and therefore is likely to provide some views of the site. However, the development will be seen in the context of the existing business park which does contain some large and relatively high buildings.

- 5.3.2 The gatehouse is proposed to be located further to the north than the existing building, closer to Main Avenue and its siting includes a reconfiguration of the road to create a vehicular exit and entrance to the business site at either side of the building. This building would be relatively small, measuring 5.2 metres by 2.9 metres and would have a flat roof, at 3.2 metres in height, which would have an overhang. The building would be finished in grey horizontal panels. The northernmost building for employment use is proposed to be 54 metres in length and 21 metres at its widest point, with a ridge height of 8.8 metres. It would be sited with the gable facing north towards Main Avenue, close to the eastern boundary, and with parking to the north and west. Unit C2 is proposed to the southwest of this building, separated from Stalls Road by the associated parking and servicing area. This building would measure 38 metres in length and be 17 metres wide with a ridge height of 8.6 metres. Unit C1 would be sited to the south east and perpendicular to this building, and would be separated by its associated parking and servicing. The building would measure 34.7 metres in length and be 20.7 metres wide with a ridge height of 8.8 metres. All three buildings are proposed to be finished in mostly grey, with some white, horizontal cladding would have shallow dual pitched light grey roofs containing rooflights.
- 5.3.3 The scale and design of the proposed buildings is considered to be appropriate within the context of the existing business park and they would not appear overly prominent or out of keeping with the immediate surroundings. A detailed landscaping scheme has also been proposed, which includes land at the north of the site between units B1 and B2 and Main Avenue. This should help to provide a visually enhanced entrance to the wider site, along with the replacement gatehouse. The proposal is therefore considered to be acceptable in terms of Policy Dm29 of the Development Management DPD.
- 5.4 **Traffic impacts, access, parking and sustainable travel** NPPF paragraphs: 104-106 and 110-113 (Promoting Sustainable Transport); Strategic Policies and Land Allocations (SPLA) DPD policy: SP10 (Improving Transport Connectivity) and SG13 (Heysham Gateway, South Heysham); Development Management (DM) DPD policies DM29 (Key Design Principles), DM58 (Infrastructure Delivery and Funding), DM60 (Enhancing Accessibility and Transport Linkages), DM61 (Walking and Cycling), DM62 (Vehicle Parking Provision), DM63: Transport Efficiency and Travel Plans and DM64 (Lancaster District Highways and Transport Masterplan).
- 5.4.1 The proposed development will be served by the existing access private road (Stalls Road) within the business park, off Main Avenue which is adopted. The internal road will be slightly reconfigured to accommodate a central gatehouse. The position of the gatehouse has changed slightly since the application was submitted as County Highways advised that it had been located within the adopted highway. Access for units C1 and C2 will be directly off Stalls Road, whereas access to units B1 and B2 will be off a separate new small road, connecting to Stalls Road. A new 2 metre wide footway is also proposed into the site, linking to the existing footway on Main Avenue. The plans have been amended to extend this up to the entrance to unit C1 and it has also been reduced in width from 2.5 metres to provide a pedestrian footway, rather than one shared with cyclists.
- 5.4.2 Following the submission of amended plans and additional information, County Highways have raised no objections to the proposal. The updated swept path analysis demonstrates that a 16.5 metre HGV can access and egress the site. County Highways had raised some concerns about access to unit B1 and, also advised that this should also provide access for a 16.5 metre HGV rather than just a 10 metre rigid vehicle. In response to this, the swept path analysis has been updated which demonstrates that there is sufficient turning space to accommodate the movements of a 10 metre rigid vehicle. The additional information sets out that, given the size of the units, the largest size vehicles that would be likely to visit the site are 7.5 tonne box vans or 10 metre rigid vehicles. Whilst it is acknowledged that there would be no restriction on HGVs accessing the units, the submission sets out that it be self-controlling when considering the small-scale of the units proposed. This approach is considered to be acceptable.
- 5.4.3 The details of the parking provision are detailed above in section 2. These are broadly in line with the car parking standards set out in Appendix E of the Development Management DPD, although would be slightly low for a light industrial/ office use (E(g), previously B1) but higher than required for B2 and B8. Given the design and nature of the buildings, the parking provision is considered to be acceptable. Cycle parking is proposed, however this has not been shown as covered and secured, which would be expected to help encourage more sustainable modes of transport.

However, this can be covered by condition. Motorcycle spaces, accessible spaces and vehicle charging points have also been shown on the plans and are considered to be acceptable in terms of the level of provision. The Environmental Health Officer has requested whether the infrastructure can be installed under the new hardstanding to allow for further changing points to be installed in the future and a response is awaited from the agent. This could also be covered by condition.

- 5.4.4 In terms of the impact on the wider highway network, County Highways have requested a contribution based on their Gravity Model to a variety of infrastructure projects throughout the District. Given the location of the site within the district at Heysham/ Middleton with good links to the Bay Gateway, and therefore also the M6, and to Heysham Port and given the nature of the use, it is very difficult to make a direct link between the highway impacts of the development and any of the infrastructure projects that have been set out. Therefore, it is considered that these would fail to comply with the CIL Regulations and the tests set out in the NPPF.
- 5.4.5 As set out in paragraph 5.22, Policy SG13 sets out requirements for development coming forward in the area covered by the Strategic Heysham Gateway allocation. This includes improvements to the local transport network, including improvements to Imperial Road and Carr Lane and to sustainable transport linkages. Therefore, this policy would allow for contributions to be sought towards improvements to the local road network. In particular, it is envisaged that Imperial Road, which is currently unadopted, will provide a link through to Middleton Road from the Bay Gateway at some point in the future to help bring forward and support employment development in this location. Some further work is required to be undertaken by the Council, and is currently ongoing, to support the wider Strategic Allocation. Part of this work should establish infrastructure requirements and how these would be delivered, including whether it would be viable to seek contributions from new development.
- 5.4.6 It needs to be ensured that any contribution is reasonable and proportionate and does not prevent the development being delivered for viability reasons. Heysham Business Park as a whole is quite run down and has suffered many issues in recent years including unauthorised tipping of large amounts of waste, which has been cleared by the current owner. Values are low in this area and can only be increased through investment and improvement to the buildings and infrastructure at the site. Regeneration of the site, in addition to the wider Heysham Gateway is to be encouraged and, if employment development does not come forward on these previously developed sites, there is likely to be pressure for development on greenfield sites which do not suffer from the same issues and constraints. However, it also needs to be ensured that development does not undermine the delivery of the wider strategic employment site by not providing necessary funding towards infrastructure that needs to come forward to allow for the larger scale employment development.
- 5.4.7 Given that there is currently uncertainty about what is required in the local area in terms of infrastructure, and the relatively small scale of the scheme, which does partly replace existing buildings, it is considered that a contribution towards local highway infrastructure is not necessary to allow this development to come forward. The proposal is therefore considered to be acceptable in terms of highway safety and accessibility and would not result in a severe impact on the local highway network.
- 5.5 **Ecological Impacts** (NPPF paragraphs: 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment), EN7 (Environmentally Important Areas) and SG13 (Heysham Gateway, South Heysham); Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity) and DM45 (Protection of Trees, Hedgerows and Woodland).
- 5.5.1 The site is located approximately 700 metres from Morecambe Bay which is designated as a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site. Given the proximity, there are potential impacts on the designated areas and, as such, a Habitats Regulations Assessment has been undertaken. This has ruled out impacts from noise and disturbance to the designated areas, as a result of the existing intervening development. However, impacts from drainage, due to potential pathways of pollution, and recreational disturbance, could not be ruled out without mitigation. The assessment sets out that this could be adequately mitigated through the drainage scheme and information boards explaining the sensitivity of Morecambe Bay to recreational pressure, both of which can be covered by

condition. Natural England have agreed with the assessment and have raised no objection subject to the mitigation being secured.

- 5.5.2 Greater Manchester Ecology Unit (GMEU) have provided advice in relation to the other ecological impacts of the proposal. In addition to the designated areas, the application site is in close proximity to Middleton Former Refinery Biological Heritage Site (BHS), to the north. Whilst no direct or indirect impacts appear likely, there is a minor risk of dust and debris impacting on the BHS. GMEU have advised that this could be covered within the construction management plan.
- 5.5.3 There are known to be Great Crested Newts in the area, which are a protected species and concern has been raised by both GMEU and the Wildlife Trust about vegetation clearance works that were undertaken before the application was submitted and the potential for an offence to have occurred. Given that the site clearance occurred some months ago, whether or not an offence occurred is not possible to determine, however the owners still have a legal responsibility and permitted activities such as site clearance do not exempt them from prosecution. During the course of the application, updated surveys of nearby ponds have been provided. The updated survey has confirmed great crested newts are present within 200m of the development and that an offence would be likely without further measures, even with the site clearance that has occurred. The applicant's ecologist has acknowledged that a license is required from Natural England. GMEU have advised that district licensing would be appropriate as the site is still relatively low risk, given it was cleared of all vegetation making checks feasible, and it is understood that this is being proceeded with, although further clarification is awaited. The alternative approach is requiring a full license based on full surveys of all the ponds in order to determine the numbers of days the site would need to be trapped out and GMEU have advised that Natural England would likely issue such a license and therefore it could be conditioned.
- 5.5.4 In relation to bats, a report has been provided which includes a daylight assessment of structures on site and one dusk survey of one of the buildings assessed as low risk, with all other buildings and structures assessed as negligible risk. No bats were recorded as roosting during the dusk survey. As individual bats can on occasion turn up in unexpected locations, GMEU have recommended an informative in relation to the legislation around the protection of bats. They have also advised that there was no survey or desk top evidence that indicated the likely presence of any other protected species.
- 5.5.5 In relation to nesting birds, whilst most of the trees and shrubs have been removed, some scrub is still present and some nesting potential identified in one of the buildings. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU have therefore recommended a condition requiring no works to trees or shrubs or the demolition of building B3 within the bird nesting season, unless a survey has been undertaken to show that nesting birds are absent. With regards species mitigation, GMEU have advised that bird boxes should be provided on the new buildings in addition to the creation of amphibian hibernacula along the eastern boundary. Japanese knotweed and small-leaved cotoneaster were recorded on the site. Both species are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) as invasive species. Therefore, GMEU have advised that an updated invasive species survey detailing eradication and/or control and/or avoidance measures for Japanese knotweed and small-leaved cotoneaster should be requested by condition. It is also considered appropriate to condition the lighting scheme for the site to ensure that light spill is minimised in relation to adjacent habitats.
- 5.5.6 Section 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Later this year it will become mandatory for most development to provide 10% biodiversity net gain. The development will result in an overall loss of vegetated habitat, the phase 1 survey indicating approximately 50% of the site vegetated and the post development construction around 30% of the site vegetated. Species impacts would include nesting birds and loss of amphibian foraging and resting places. The habitat prior to clearance was likely to be native trees and scrub, in poor condition.
- 5.5.7 Updated biodiversity net gain information has been provided during the course of the application, in addition to an amended landscaping scheme. This indicates a net gain of 13% can be provided on the site and GMEU have confirmed that they are satisfied that the baseline is calculated correctly. Some concerns have been raised by Lancashire Wildlife Trust regarding the baseline and also the

likely condition that will be achieved. However, GMEU have responded to this and are satisfied with the assessment that has been undertaken and the information provided. A 30 year management plan has also been submitted to support this.

5.5.8 Overall, it is considered that the development can be undertaken without a detrimental impact on designated sites and protected species. It is also considered that an appropriate level of enhancements can be provided at the site, in accordance with national and local planning policy.

5.6 **Flood Risk and Drainage** NPPF paragraphs: 152, 154, 159-167 and 169 (Flood Risk and Drainage); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment) and SG13 (Heysham Gateway, South Heysham); Development Management (DM) DPD policies DM33 (Development and Flood Risk) and DM34 (Surface Water Run-off and Sustainable Drainage)

5.6.1 The site is located within Flood Zone 1 and part of this already contains buildings and hardstanding and is part of a wider business park. Paragraph 167 of the NPPF requires applicants to demonstrate, through a site-specific flood risk assessment, that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- it incorporates sustainable drainage systems unless there is clear evidence that this would be inappropriate;
- any residual risk can be safely managed; and
- safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

5.6.2 Paragraph 169 goes on to state that: major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate and the systems should:

- take account of advice from the lead local flood authority;
- have appropriate proposed minimum operational standards;
- have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- where possible, provide multifunctional benefits.

5.6.3 The Lead Local Flood Authority (LLFA) have provided comments in relation to the application and initially raised some concerns regarding the submitted drainage scheme. In particular, they advised that the submitted surface water drainage strategy failed to provide appropriate minimum operation standards for peak flow control and for volume control, provide appropriate arrangements for maintenance and provide an appropriate allowance for climate change. As a result, further information has been provided, and the LLFA have removed their objection. The proposed drainage system comprises of an entirely underground tanked storage solution. However, the constraints of the site are acknowledged, in addition to the existing presence of buildings and hardstanding on the site, and the benefits of providing improved and additional employment units on the allocated site. The solution is therefore considered to be appropriate in this situation.

5.7 **Contamination** NPPF paragraphs: 183-184 (Contamination), Development Management (DM) DPD policies: DM32 (Contaminated Land)

5.7.1 There have been a number of historic industrial uses across the site, and it is therefore likely that the land has been subject to levels of contamination than will need to be appropriately remediated. A phase one contamination assessment has been submitted with the application. This recommends further investigation which will inform any remediation required and can be covered by condition. The Environmental Health Officer has advised that a condition is appropriate in this instance.

5.8 **Sustainable Design and Renewable Energy** NPPF paragraphs: 126 (Achieving Well-Designed Places) and 154 -155 and 157 (Planning for Climate Change); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM30 (Sustainable Design) and DM53 (Renewable and Low Carbon Energy Generation)

- 5.8.1 In the context of the climate change emergency that was declared by Lancaster City Council in January 2019, the effects of climate change arising from new/ additional development in the District and the possible associated mitigation measures will be a significant consideration in the assessment of the proposals. The Council is committed to reducing its own carbon emissions to net zero by 2030 while supporting the district in reaching net zero within the same time frame. Buildings delivered today must not only contribute to mitigating emissions, they must also be adaptable to the impacts of the climate crisis and support resilient communities. Policies within the Local Plan are currently being reviewed in this context, however limited weight can currently be afforded at this stage.
- 5.8.2 An energy and sustainability statement has been submitted with the application. The development is adopting a fabric first approach and the report sets out that the development will use building fabrics with enhanced 'U' values which go beyond the minimum requirements of Part L2A of the Building Regulations. (2021). The table within the report shows that this would be an improvement above the Regulations of 26% for wall, 6.25% for roofs, 11.1% for floors and 12.5% for glazing. Improvement. The report also sets out that building modelling of the unit has confirmed that no occupied space is at risk from excessive solar gains, with this being achieved through use of glazing with a low shading coefficient. Recommendations are also including to help reduce water consumption. The sustainability measures can be covered by a condition. There are also recommendations for external lighting, and lighting is already proposed to be condition as part of the ecology mitigation measures. It is therefore considered that the proposal provides suitable sustainability measures, in accordance with current Local Plan policy.

6.0 Conclusion and Planning Balance

- 6.1 The redevelopment of this part of Heysham Business Park for employment purposes is welcome and is in line with the aims and objectives of the wider allocation for Heysham Gateway. The development of the site provides an opportunity to enhance the existing business park which is in need of upgrading and refurbishment and will deliver more appropriate, fit-for-purpose employment units and improve the overall environmental quality of the area. The proposal is considered to be acceptable in terms of design, highway safety, contamination and will provide appropriate drainage, improvements in energy efficiency about the current Building Regulations and will provide over 10% net gain. It therefore complies with local and national planning policy, as discussed above.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 year timescale	Control
2	Approved plans	Control
3	Construction management plan	Pre-commencement
4	Assessment and remediation of contamination	Pre-commencement
5	Final Surface Water Sustainable Drainage Strategy	Pre-commencement
6	Construction Surface Water Management Plan	Pre-commencement
7	Ecology mitigation including: great crested newts; no clearance/ demolition during bird nesting season without survey confirming absence; removal of invasive species; provision of bird boxes; creation of amphibian hibernacula; details of external lighting; and details of information boards regarding recreational pressure to Morecambe Bay.	Pre-commencement
8	Employment and Skills Plan	Pre-commencement
9	Installation of electric vehicle charging points including infrastructure for future points, and details of secured cycle storage	Above slab level
10	Sustainable Drainage System Operation and Maintenance Manual	Pre-occupation
11	Verification Report of Constructed Sustainable Drainage System	Pre-occupation

12	Creation of parking, turning and footway	Pre-occupation
13	In accordance with energy and sustainability statement	
14	Implementation of landscaping scheme	Control
15	Biodiversity net gain maintenance	Control
16	Restriction of use classes to E(g)/B2/B8	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A8
Application Number	23/00602/VCN
Proposal	Reserved matters application for the demolition of existing agricultural buildings, retention and residential conversion of stone barn for up to 2 dwellings and erection of up to 67 dwellings with associated access (pursuant to the removal of conditions 1 and variation of conditions 2,3,4,6, 7,8 and 10 on reserved matters application 19/01100/REM to account for details already approved by planning conditions and to accommodate changes to the development arising from the relocation of the proposed bus layby)
Application site	Ward Field Farm Main Road Galgate Lancaster
Applicant	Hollins Homes
Agent	Mr James Berggren
Case Officer	Mrs Jennifer Rehman
Departure	No
Summary of Recommendation	Approve, subject to conditions

1.0 Application Site and Setting

- 1.1 The site relates to a 4.5-hectare parcel of former agricultural land associated with Ward Field Farm located to the north of Galgate village, approximately 4 miles south of Lancaster City centre. The site borders two major transport corridors: the West Coast Main Line (WCML) which runs alongside the western boundary of the application site and the A6 runs along the eastern boundary. The River Conder forms a strong boundary along south-eastern edge of the site where the site is at its lowest elevation (19.3m AOD). The application site straddles across floodzones 1, 2 and 3 with parts of the site affected by surface water flooding.
- 1.2 The site is currently in the process of being redeveloped for housing following the grant of outline planning permission and subsequent reserved matters approval. The new access has been provided, together with drainage infrastructure and development platforms. The developer has commenced the construction of several the approved dwellings on the site.

2.0 Proposal

- 2.1 Pursuant to section 73 of the Town and County Planning Act 1990, the applicant seeks consent not to comply with conditions previously approved on the reserved matters approval. Specifically, the application seeks to remove conditions 1 and 6 and to vary conditions 2, 3, 4, 7, 8 and 10. A summary of each of these conditions is set out below:

2.2

Condition No:	Summary of the condition requirements.
1	Development shall be begun before expiration of 3 years from the date of the outline planning permission to before the expiration of 2 years of the reserved matters approval.
2	Control condition setting out the approved plans
3	Before construction of the buildings above slab level, a car parking layout plan to be submitted and agreed by the local planning authority.
4	Before construction of the buildings above slab level, external materials, and architectural details to be submitted and agreed by the local planning authority.
6	Prior to the commencement of any works within the open space land or first occupation, whichever occurs first, details of the play equipment and street furniture to be submitted and agreed by the local planning authority.
7	Control condition setting out the approved landscaping plans and trigger for implementation.
8	No occupation under a Landscape Management Plan has been submitted and agreed by the local planning authority.
10	Garage use restriction to all plots unless the garage is not required for parking pursuant to the car parking layout plan approved pursuant to condition 3.

2.3

The outline planning permission was granted with a condition to secure a scheme of off-site highway works, which included the relocation and upgrades to the northbound bus stop and a new layby north of Galgate Bridge. At the outline stage, it was envisaged that the new bus layby would have been located to the south of the proposed access. This was subsequently reflected on the approved reserved matters plans. However, post reserved matters approval and following detailed discussions between the developer and the local highway authority (LHA), the intended location of the layby is no longer possible. The LHA have subsequently given technical approval (under s278 of the Highway Act) for the layby to be located north of the approved access and have recently confirmed agreement to the precise details of the off-site highway improvement scheme, which remains the subject of a pending discharge of condition application relating to the outline planning permission. Because the layby is shown on the approved reserved matters plans, it is now necessary to substitute the approved plans with amended plans showing the layby relocated to the north of the permitted access.

2.4

This application therefore seeks to update the approved plans (pursuant to condition 2 and 7) to account of the changes to the layout of the development brought about by the relocated bus layby. Whilst this affects several plans, including landscaping plans, it only affects a small section of the overall site along the site frontage.

2.5

In addition to amending conditions 2 and 7 for the reasons described above, the application seeks to remove condition 1 and 6 as the applicant considers these conditions unnecessary and vary conditions 3, 4, 8 and 10 to reflect the approved details granted through several discharge of condition applications.

3.0 Site History

3.1

Several relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
17/00944/OUT	Outline application for the demolition of existing agricultural buildings, retention, and residential conversion of stone barn for up to 2 dwellings and erection of up to 68 dwellings with associated access.	Approved
19/01100/REM	Reserved matters application for the demolition of existing agricultural buildings, retention, and residential conversion of stone barn for up to 2 dwellings and erection of up to 68 dwellings with associated access	Approved

21/00155/DIS	Discharge of conditions 3, 4, 7, 8, 11, 16,18 and 20 on approved application 17/00944/OUT	Pending Consideration
21/00161/DIS	Discharge of condition 8 on approved application 19/01100/REM	Approved
22/00108/DIS	Discharge of condition 6 on approved application 19/01100/REM	Approved
22/00172/DIS	Discharge of condition 3 on approved application 19/01100/REM	Approved
22/00093/DIS	Discharge of condition 4 on approved application 19/01100/REM	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Ellel Parish Council	At the time of compiling this report, no comments received. A verbal update will be provided.
LCC Highways	No objection to account for details already approved by planning conditions and to accommodate changes to the development arising from the relocation of the proposed bus layby.
Environmental Health Protection	No objection commenting the proposed mitigation for plot 1 would satisfactorily reduce noise levels to recommended BS8233 and agrees that predicted noise levels associated with the bus stop and farmhouse would be akin to the existing noisescape at this location and at levels likely to be at NOEL/LOAELs.
Fire Safety Officer	No objection Standard advise relating to Document B, Part B5 of Building Regulations

4.2 The consultation expiry period for this application has not yet expired. Accordingly, below is a summary of the comments received to date. Any representations received after the closing date for drafting this recommendation shall be considered and verbally presented.

The following responses have been received from members of the public:

1 letter neither objecting nor supporting. A summary of the comments are as follows:

Traffic and highway comments: the related bus layby will help to ease congestion in Galgate Village; extending the 30 MPH limit further North is a step in the right direction however should be reduced to 20 MPH to ensure the safety of children using the approved and proposed leisure areas, air quality and road safety.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Procedural matters
- Layout and design
- Amenity considerations
- Compliance with conditions

5.2 Procedural Matters

5.2.1 A section 73 application seeks permission to carry out development without complying with planning conditions imposed on a previous planning permission. Any subsequent permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original planning permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted. Section 73 also

provides a mechanism to consider and assess minor material amendments to an earlier planning permission. Accordingly, it is not an opportunity to re-examine the principal considerations associated with the approved development. Recent case law has now enabled applicants to utilise the provisions of section 73 in relation to reserved matters approval as well as applications for planning permission (in full or outline).

5.2.2 The residential conversion of the existing stone barn for up to 2 dwellings and erection of up to 67 dwellings with associated access and infrastructure has been established by the granting of an outline planning permission in February 2019. The reserved matters relating to the layout, scale, landscaping, and appearance, for the whole development, was submitted in November 2019 and later approved in October 2021. The principle of this development and how it is laid out and designed has all been approved. Therefore, the material considerations of this application will focus only on the changes to the scheme proposed as part of this Section 73 application, namely the changes to the layout and landscaping of the approved development because of the amended bus lay-by position affecting conditions 2 and 7 specifically. The position of the bus layby is a matter controlled by the outline planning permission and has had to be amended in line with the highway authority's recommendations. Therefore, the principle of the location of the bus lay-by is not a matter for consideration as part of this variation to the reserved matters approval.

5.2.3 As set out earlier in the report, a Section 73 application is effectively the grant of a new decision (in this case a new reserved matters approval), it is essential that in granting permission the local planning authority review which conditions previously imposed remain necessary. The applicant proposes the removal of condition 1 (relating to the time limit) as the development has commenced within the prescribed times set out in the condition. The imposition of the condition is unnecessary. Officers are satisfied the development commenced lawfully and concur with the applicant's position on condition 1. The applicant proposes the removal of condition 6 on the grounds it too is unnecessary and that the approved details can be added to the approved plans list (condition 2). This position is not shared by officers and is discussed at paragraph 5.5.1 of this report. Finally, conditions 3, 4 and 8 have been satisfied through previous discharge of condition decisions. Therefore, the applicant seeks amendments to these conditions to reflect the approved position. This approach is correct and acceptable in principle. More specific details are discussed below.

5.3 **Layout and Design (NPPF paragraph 92 (Promoting Healthy and Safe Communities) and paragraph 130 (Achieving Well-Designed Places); Development Management (DM) DPD policies DM29 (Key Design Principles), DM45 (Protection of Trees, Hedgerows and Woodland) and DM57 (Health and Well-Being).**

5.3.1 The position of the bus layby and associated off-site highway improvements works has been a lengthy process pursuant to condition application 21/00155/DIS attached to the outline planning permission. The details are now considered acceptable and have been agreed by the local highway authority. As this variation of condition application is not the forum to debate the acceptability of the highway works, it is simply a matter of assessing the knock-on effects to the layout and landscaping previously approved.

5.3.2 The relocation of the bus layby, which is now only a half layby, does not alter the position or layout of any of the approved dwellings or their associated gardens or the internal highway layout. The changes affect a small section of landscaping between the existing farmhouse and approved plot 15 only. This relates to approximately 32 metres of the sites c270 metre frontage to the A6. The area where the full layby had been intended (south of the approved vehicular access) would have required significant earthworks with compensatory flood storage. This work is no longer required. However, it is understood the applicant will still be providing the additional flood storage.

5.3.3 To facilitate the agreed off-site highway works, existing hedgerows along the site frontage will need to be removed and replacement hedgerows replanted. Currently, the applicant is not proposing replacement hedgerow plants and offers only a hedgerow seed mix, which is not sufficient. Amendments will be sought to address this matter in the interests of visual amenity and habitat connectivity. Whilst the loss of existing hedgerow is disappointing, the proposed changes are essential to deliver necessary highway improvements works to support the development.

5.3.4 The agreed highway improvement works do not impact on the internal highway layout. Most of the changes (relating to the highway works and agreed under the outline planning permission) are within

the adopted highway and along the site frontage. The amended highway works now provide increased footway provision along the A6 between the village and the relocated bus stop. Connections to the bus stop from the development itself have not altered either. Access will be via footways from the main vehicular access but not directed north of the new junction rather than south. Officers had hoped to secure an additional internal link from the development north of the new bus stop location. However, due to the parking requirements alongside plot 15 this is not possible. An additional link to the south of the bus stop would not make a material difference, as it would only be around 25 metres north of the main vehicular access.

- 5.3.5 Overall, the changes to the layout and landscaping to accommodate the amended bus layby and highway works are, on balance, considered acceptable and compliant with the Local Plan.
- 5.4 Residential Amenity (NPPF paragraph 130 (Achieving Well-Designed Places) and Development Management (DM) DPD policies DM29 (Key Design Principles)
 - 5.4.1 The NPPF and policy DM29 requires development to ensure there is no significant detrimental impact in relation to overshadowing, visual amenity, privacy, overlooking, massing, and pollution. Whilst the location of the proposed highway works is not a matter to be negotiated as part of this application, the application has been supported by an updated acoustic report to demonstrate the relocated bus layby and the knock-on effects to the layout and landscaping would not adversely affect the residential amenity of future occupants of the development.
 - 5.4.2 The bus stop sits adjacent to plot 15, being 7 metres from the dwelling at its closet point. The approved boundary treatment along the garden of plot 15, adjacent to the A6, comprises a 2.5 metre stone wall (with landscaping alongside it). This forms part of the site-wide noise mitigation. The bus stop is also around 8.5 metres from the existing farmhouse. The approved noise mitigation currently does not extent the 2.5 metre wall along the garden to the farmhouse.
 - 5.4.3 The proposed bus stop is not intended to be a new stop and is a relocation of the existing stop, which is closer to the village. Whilst there is no information about the services using this stop specifically, it is clear from information available in relation to other bus stops on this corridor, that there will be frequent bus services running between 06:00hrs and 00:00hrs and therefore potentially using the bus layby during both daytime and night-time hours.
 - 5.4.4 In addition to previous noise surveys undertaken to support the wider development, additional noise measurements have been taken to establish representative noise levels of buses during operation including stopping and starting, idling, and braking to slow down.
 - 5.4.5 In the case of Plot 15, the approved acoustic mitigation already includes the provision of acoustic boundary treatments and enhanced glazing specifications with internal mechanical ventilation. This was to secure acceptable noise levels internally and externally from the background noise levels associated with the A6 corridor. The acoustic assessment supporting this application concludes the noise from the bus layby would fall well below the noise levels from general traffic movements on the A6 and no further mitigation would be necessary. Accordingly, the approved mitigation remains satisfactory to safeguard the residential amenity of future residents of plot 15.
 - 5.4.6 In the case of the farmhouse, this building is retained as existing as part of the approved development. Its façade directly faces the A6 corridor and is approximately 8.5 metres from the edge of carriageway. The noise assessment adopts an approach of assessing the noise from the bus stop in comparison to existing measured noise levels. This concludes the noise from the bus lay-by would fall below existing day-time ambient noise levels and only +2dB above the ambient night-time noise levels (in L_{Aeq}). However, in relation to L_{Amax} levels, the predicted noise levels from the use of the bus layby are entirely in keeping with the current environmental noise conditions. The assessment therefore concludes no mitigation is required and that the location of the bus layby would not have a detrimental effect on the residential amenity of the farmhouse.
 - 5.4.7 In the case of both plot 15 and the farmhouse, the submitted acoustic assessment concludes there would be no observed adverse effect level (NOAEL) arising from the relocated bus layby. This is due to the existing background noise levels associated with the A6 corridor being high already. The Council's Environmental Health Officer concurs with the assessment conclusions and has raised no objection to the proposals.

5.4.8 In addition to noise, the position of the layby will mean for residents of plot 15 and the farmhouse, double-decker buses stopping could enable patrons potentially overlooking into the garden areas. This is not an untypical scenario in villages and urban areas where housing is built up along existing transport corridors. Furthermore, buses stopping at the lay-by will do so for an extremely limited period before travelling on. Given this is a half layby rather than a full layby the chances of buses waiting for any significant period would be highly likely. Consequently, whilst these plots may be less attractive to future purchasers, it is contended the impact on residential amenity by reason of overlooking and loss of privacy from buses stopping in the layby would not give rise to significant harmful effects.

5.5 **Compliance with conditions** (NPPF paragraph 57 (Planning Conditions and Obligations))

5.5.1 As set out earlier in the report, the grant of a section 73 application is effectively the grant of a new decision and therefore all previous conditions should be reimposed where necessary and relevant. Condition 1 shall be removed as the development has commenced in accordance with the original terms of this condition (the time limit). The applicant contends condition 6 shall be removed as the approved details (play equipment and street furniture) can be listed in condition 2 instead, rendering condition 6 unnecessary. Officers do not agree due to the tailpiece of the condition requiring ongoing retention of the approved details. As such, condition 6 shall not be removed but varied to reflect the approved details. The applicant is satisfied with this approach.

5.5.2 Conditions 3, 4, 6 and 8 all required details to be submitted and agreed with the local planning authority (at various trigger points). These conditions have all been satisfied under previous discharge of conditions applications as set out in section 4.0 of this report. Accordingly, these conditions shall be reimposed but amended to reflect the approved details. The full condition wording is set out in the recommendation. The applicant also requests condition 10 be amended to include reference to the approved car parking layout plan for precision. All the requested changes to the condition wordings are acceptable and would ensure the conditions imposed on the decision meet the tests set out in paragraph 57 of the NPPF.

6.0 Conclusion and Planning Balance

6.1 The proposed changes to the layout and landscaping of the development are necessary to support the delivery of off-site highway works agreed as part of the outline planning permission. Whilst the loss of existing hedgerow is disappointing, this is capable of being mitigated against. The repositioning of the bus layby has a more uncomfortable relationship to existing and proposed dwellings. However, considering existing background noise levels associated with the A6 corridor, the effect of noise from the operation of the bus layby would not be significantly adverse. Regardless of this, the location and extent of off-site highway works is not a matter to debate as part of this application. On this basis, the Planning Committee are recommended to support the variation of condition 2 (approved plans list) and condition 7 (landscaping) to reflect the proposed changes to the scheme, along with the amendments to the other conditions to comply with previously approved details.

Recommendation

That conditions 1 be removed and conditions 2,3,4,6,7,8 and 10 of Reserved Matters Consent 19/01100/REM **BE VARIED** as follows:

Condition 2:

The development hereby permitted shall be carried out in accordance with the following approved plans:

- BC01 Rev C Proposed Barn Conversion
- BT05 Rev 13 30 Proposed Boundary Details Plan
- MP05 Rev 15 25 Materials Plan
- 0001 Rev 24 34 Proposed Site Layout Plan
- (90)001 Rev G D Hard Landscape Plan 1 of 3
- (90)002 Rev G D Hard Landscape Plan 2 of 3
- (90)003 Rev D Hard Landscape Plan 3 of 3

(08) 005 Rev D Play Equipment
0004 Rev G Car park spaces

Housetype Pack received on the 11 October 2021, including drawings: -

APTS-E Rev A	Apartment Elevations Plots 1-6 Stone
APTS-FP Rev A	Apartment Floor Plans Plots 1-6 Stone
BN01-EL Rev A	Bungalow Plot 56-59 (Brick)
BN01-FP	Bungalow Floor Plan
PEG3-E Rev C	The Peel/The Peel Ginnel Plot 50-52 Stone
PEG4-F Rev A	The Peel/The Peel Ginnel Plot 50-52
WIG3-E(ALT)	The Wilberforce/The Wilberforce Ginnel Plot 21,22 & 30 Stone
WIG3-E Rev B	The Wilberforce/The Wilberforce Ginnel Plot 53-55 Brick
WIG3G-E Rev A	The Wilberforce/The Wilberforce Ginnel Plot 45,46 & 47 Brick
WIG3 -F	The Wilberforce/The Wilberforce Ginnel Plot 21,22,30,45-47,53-55
WIG2-E(1) Rev C	The Wilberforce Plot 14-15 Stone
WIG2-EG(1) rev B	The Wilberforce Plot 48-49 Stone
WIG2-F	The Wilberforce Plots 14-15,48-49
AU-ALT Rev B	The Austen Alt Plot 28 Stone
AU-ALT Rev B	The Austen Alt Plot 9 Brick/Render
BRHT-01 Rev A	The Brunel Plot 43 Render
BRHT-01 Rev A	The Brunel Plot 29 Stone
BRHT-01(1)	The Brunel Plot 35 & 44 Brick
NLHT-04 Rev A	The Nelson Plot 62 & 64 Render
NLHT-03 Rev A	The Nelson Special Plots 20 Stone
CKHT-01 Rev A	The Cook Special Plot 63 Stone
DAHT-01 Rev B	The Darwen Special Plot 60 Stone
DAHT-01 Rev B	The Darwen Special Plot 7 Stone
NGT-01 Rev C	Nightingale Plot 19 & 24 Render
NGT-01 Rev A	Nightingale Plot 65 Brick
NGT-02 Rev A	Nightingale Plot 34 Render
NGT-02 Rev C	Nightingale Plot 18 Render
WDHT-01	The Wordsworth Plot 38 Stone
WDHT-01	The Wordsworth Plot 8 Brick
CKHT-02 Rev B	The Cook Plot 11 and 12 Render
CRHT-02 Rev A	The Cromwell Plot 13 Stone
CRHT-02 Rev A	The Cromwell Plot 10, 41 & 61 Render
CRHT-02 Rev A	The Cromwell Plot 17,27 & 36 Brick
BR-01 Rev A	The Bronte Plot 33 & 40 Stone
BR-01 Rev A	The Bronte Plot 23,37,42 Render
WLHT-01 Rev B	The Wellington Plot 16 Stone
WLHT-01 Rev B	The Wellington Plot 25 & 66 Render
WSHT-02 Rev B	The Wesley (1) Plot 31 Stone (double garage option)
WSHT-02 Rev B	The Wesley (2) Plot 31 Stone (single garage option)
WSHT-01 Rev D	The Wesley (1) Plot 32, 39 & 67 Stone (double garage option)
WSHT-SG01 Rev A	The Wesley (2) Plots 32, 39 & 67 Stone (single garage option)
WSHT-01 Rev D	The Wesley (1) Plot 26 Brick (double garage option)
WSHT-SG01 Rev A	The Wesley (2) Plot 26 Brick (single garage option)
CPT01 Rev A	Car Port
SG	Single Garage Stone / Brick
DG	Double Garage Stone
TG	Twin Garage Render

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

Condition 3:

No dwelling shall be occupied or brought into use until its associated garage and/or car parking facilities shown on the approved Car Parking Layout Plan (Drawing No: 0004 rev G) have been provided in full. The approved parking areas shall thereafter be kept available for their approved purpose at all times.

Reason: To ensure the provision of adequate car parking on site and in the interests of highway safety.

Condition 4:

The development shall be constructed in accordance with the following details:

- Materials Statement and appendices received on the 23 May 2023
- Typical Details - Galgate-TD-02-A
- Typical Details - Galgate-TD-03

and shall be retained as approved at all times thereafter.

Reason: In the interests of the visual amenity of the area, the appearance and character of the development and to secure and maintain the high standard of design of the approved development.

Condition 6:

The development shall be constructed in accordance with the following approved plans relating to the play equipment and street furniture required in the open space land:

- N0615 (03) 001 Play equipment and seating to POS area
- N0615 (03) 002 Play equipment
- N0615 (03) 003 Play equipment
- N0615 (03) 004 Play equipment
- N0615 (03) 005 Play equipment
- N0615 (03) 006 Seating
- N0615 (03) 007 Robina Timber

and shall be retained as approved at all times thereafter:

Reason: In the interest of visual amenity of the area and to secure and maintain the high standard of design of the approved development.

Condition 7:

The landscaping scheme set out on the following approved drawings:

- (96) 001 Rev F H Detailed Planting Plans 1 of 3
- (96) 002 Rev E G Detailed Planting Plans 2 of 3
- (96) 003 Rev D E Detailed Planting Plans 3 of 3

shall be implemented in the first planting season following first occupation of the development, or in accordance with a landscaping phasing scheme first to be submitted to, and agreed in writing, by the local planning authority. The approved landscaping shall be maintained in accordance with the Landscape Management Plan pursuant to condition 6.

Reason: In the interests of the amenity of the area to secure and maintain the high standard of design of the approved development.

Condition 8:

Following the implementation of any part of the approved landscaping pursuant to condition 5, the approved Maintenance Activities Schedule (dated 12/11/2021 and approved under application 21/00161/DIS), relating to the long-term management and maintenance of the approved landscaped areas within the development, shall be adhered to at all times.

Reason: In the interests of the amenity of the area.

Condition 10:

Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), the proposed garage(s) shall be retained solely for the housing of private motor vehicles or storage associated with the main dwelling. In particular it shall not be converted or used for any other domestic, trade or business purposes without the express planning permission of the local planning authority, unless the garage is not required for parking pursuant to the car parking layout plan pursuant to car parking spaces drawing 0004 Rev G.

Reason: To safeguard residential amenity and to provide satisfactory off-street parking facilities.

The new approval notice will include the following conditions, incorporating the proposed changes and re-numbered accordingly:

Condition no.	Description	Type
1	Approved Plans list to reflect amended plans and approved details to previous condition 6 (previous condition 2 amended as drafted above)	Control
2	Car Parking Layout Plan (previous condition 3 amended as drafted above)	Control

3	Development to be carried out in accordance with Materials Statement and supporting plans (previous condition 4 amended as drafted above)	Control
4	Architectural details for the barn conversion (unchanged previous condition 5)	Before works to barn
5	Play equipment to be provided in accordance with agreed details (previous condition 6 as drafted above)	Control
6	Amended Landscaping Scheme (previous condition 7 amended as drafted above)	Control
7	Landscaping Maintenance Scheme (previous condition 8 amended as drafted above)	Control
8	Removal of PD (unchanged)	Control
9	Garage use restriction (previous condition 10 amended as drafted above)	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Officers have made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A9
Application Number	23/00375/FUL
Proposal	Demolition of existing agricultural buildings and erection of 9 dwellings with access, parking, the raising of site levels and construction of retaining wall
Application site	Land And Buildings South Of Number 52 Low Road Middleton Lancashire
Applicant	Mr M Gulzar
Agent	HPA Chartered Architects
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Refusal

(i) **Procedural Matters**

A previous planning application (Ref: 21/00864/FUL) proposed the demolition of the existing farm buildings and the erection of nine dwellings. The scheme was presented to Planning Committee and was refused in November 2022. Given this application history, and the issues that are involved, the Development Management Service Manager considers that the application merits Committee determination again.

1.0 Application Site and Setting

- 1.1 The site that forms the subject of this application is land adjacent to Low Road in the village of Middleton and contains a group of modern agricultural buildings. There are no farm operations taking place from the site and many of the buildings are in a poor state of repair. The land slopes downwards away from the highway and is significantly lower at the rear of the site, to the east. The majority of the site is hard surfaced.
- 1.2 To the north, south and west of the site are residential properties which are a mix of bungalows and two storey buildings and to the east are agricultural fields. The site extends further to the east than the rear boundaries of the adjacent residential properties and behind the rear of Woodburn Farm, the dwelling to the north. The properties on the opposite site of Low Road, to the west, are at a higher level.
- 1.3 Most of the site is located within flood zone 3a. The site is located within the Open Countryside, as identified on the Local Plan Proposals Map. The Lune Estuary is approximately 800 metres to the southeast and is designated as a Site of Special Scientific Interest. It is also covered by the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site.

2.0 Proposal

- 2.1 The application proposes the demolition of existing agricultural buildings and erection of 9 dwellings with access, parking, the raising of site levels and construction of retaining wall.
- 2.2 The 9 two-storey units as proposed comprise the following mix:
 - Plots 1 and 5 – detached 4-bed
 - Plots 4, 6 and 7 - detached 4-bed
 - Plots 2, 3, 8 and 9 – semi-detached 3-bed
- 2.3 Each property is provided with dedicated off-road parking in accordance with the maximum standards as set out within appendix E of the DM DPD document.
- 2.4 The 9 properties all benefit from private amenity space which generally comprises grassed rear gardens with a small amount of patio also provided. Externally, the properties will be finished with a mix of the following materials:
 - Elevations - Ivory render and coursed stone
 - Windows – Grey upvc double glazed units
 - Roof treatment - Grey tiles
 - Boundary treatment - Timber hit & miss fencing max. 1800mm high and rendered retaining walls to match housing.
- 2.5 The site levels will be raised by a maximum of 1.1 metres and retaining walls installed to the rear of properties on the eastern boundary.

3.0 Site History

- 3.1 Two relevant applications relating to this site has previously been received by the Local Planning Authority. The most recent application (21/00864/FUL) was refused on the following grounds:
 1. The proposal would result in the provision of residential development within flood zones 2 and 3. In the opinion of the Local Planning Authority, the submission does not satisfy the requirements of the Sequential Test or Exception Test. As such, the proposal represents an unacceptable form of development, classified as more vulnerable to flood risk within an area defined as having a high probability of flooding. The proposal therefore conflicts with the requirements of policy DM33 of the Review of the Development Management DPD and Section 14 of the National Planning Policy Framework.
 2. The site is not within an identified sustainable rural settlement and fails to demonstrate how the proposal will meet a locally identified housing need. There is not considered to be any special circumstances, in this instance, to justify new dwellings in this location. The proposal is therefore contrary to the aims and objectives of the Policy SP2 of the Strategic Policies and Land Allocations DPD and Policies DM4 and DM60 of the Review of the Development Management DPD and the National Planning Policy Framework, in particular section 5.
 3. The application fails to detail the way in which the development can be sustainably drained in accordance with the surface water drainage hierarchy. It has not been conclusively demonstrated that a satisfactory arrangement for disposing of surface water can be achieved and consequently a risk of flooding would remain. The proposal therefore conflicts with the requirements of Policy DM34 of the Review of the Development Management DPD and Section 14 of the National Planning Policy Framework.

Application Number	Proposal	Decision
21/00864/FUL	Demolition of existing agricultural buildings and erection of 9 dwellings with access, parking, the raising of site levels and construction of retaining wall.	Refused
15/00238/OUT	Outline application for the demolition of existing farm buildings and erection of 9 dwellings.	Permitted

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
County Highways	No objections but states that should this site be put forward for adoption there are concerns regarding the lack of continuous footway around the site, the nature of the driveway accesses the size of the garages and the general layout.
Housing Strategy Officer	Neither supports or objects - Middleton is not considered a sustainable settlement and falls within the category of a Rural Village within the settlement hierarchy in policy SP2. The policy states that these settlements will accommodate development that meets evidenced local needs only. The evidence within the Strategic Housing Market Assessment (SHMA) does not indicate a need for new dwellings on this site or within Middleton itself.
Engineers	Objection - Flood Risk associated with the proposed development, including the effect of the development on existing drainage systems, has not been properly considered.
Environment Agency	No objections -Development should be carried out in accordance with the submitted Flood Risk Assessment. It is for the LPA to consider whether or not the Sequential Test has been passed.
Environmental Health	No objections - subject to a condition for a detailed scheme for the investigation of any contamination.
United Utilities	The plans are not acceptable to United Utilities because flood risk from all sources have not been considered. Requests details of finished floor levels and ground levels. This information is required so that any risk of sewer surcharge can be further assessed.
Tree Officer	No objections – Trees are not a barrier to this development
Natural England	No objections – Subject to condition for the provision of Homeowner Packs.
Waste and Recycling	No objections
Fire Safety Officer	Advice
Middleton Parish Council	No comments received

4.2 The following responses have been received from members of the public:

Two letters of objection which raise the following concerns:

- Flooding – surface water runs from south to north along Low Road, meeting water from Hall Drive with water then north to south along Low Road. The quantity of water that collects at the top of the lane requires me to have permanent sand bags at the front door.
- Unnecessary housing.
- Damage to wildlife living upon this land/area.
- Will obstruct views
- Increased parking pressures.
- Noise and disturbance during construction

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of residential development in Middleton
- Flooding and Drainage
- Residential amenity
- Design and Impact on the character of the area
- Access and highway impacts
- Impact on trees and hedgerows
- Ecological Impacts
- Contaminated land

5.2 **Principle of residential development in Middleton:** NPPF paragraphs: 7 – 12 (Achieving Sustainable Development), and 60-61 and 73-79 (Delivering a Sufficient Supply of Homes); Strategic Policies and Land Allocations (SPLA) DPD Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Lancaster District Settlement Hierarchy), SP3 (Development

- 5.2.1 The Local Plan requires development proposals to accord with the Councils identified settlement hierarchy set out in Policy SP2. Development outside of the main urban centres should preferentially be directed towards the identified rural settlements.
- 5.2.2 Middleton is a small rural village located to the south of Heysham, which is no longer identified as a sustainable rural settlement through policy SP2 of the SPLA DPD, but as a 'Rural Village' covering all other settlements that did not achieve the criteria to be considered sustainable settlements as part of the Strategic Housing Land Availability Assessment (SHLAA). Policy DM4 stipulates that proposals for new housing in such settlements, which have not been identified as sustainable settlements, will only be supported if it can be demonstrated that the development will enhance the vitality of the local community and meet an identified and specific local housing need. Proposals lacking sufficient justification will be considered using the Rural Exceptions Sites criteria set out in Policy DM5 of the DPD. The site is not an allocated site through the local plan listed within SPLA DPD policy H2 for housing delivery in rural areas of the district, but has been identified in the SHLAA in 2018 as a deliverable site for 9 dwellinghouses. It is worth noting that the site is considered deliverable in the SHLAA due to a previous outline permission (15/00238/OUT) which has now lapsed without the submission of a reserved matters application. As such there is no fallback position.
- 5.2.3 The current submission argues that Middleton's Sustainable Settlement designation needs to be reconsidered. The submitted Supporting Statement seeks to highlight the sustainable credentials of Middleton and points to the fact that Middleton lies within the catchment area for Overton Primary School and together, the two villages are large enough to sustain one school. Furthermore, there is a daily minibus service provided by Lancashire County Council between Middleton and Overton to allow primary school children to be transported safely from Middleton to school, and vice-versa at the end of the school day. The Supporting Statement goes on to highlight the regular bus service which provides transport to and from secondary schools in Lancaster. The Statement goes on to point out improved broadband services in Middleton and that there is also a Village Hall and a community run pub. Middleton is close to sources of employment at Heysham Business Park which is approximately 1.16 km from the application site.
- 5.2.4 In preparing the Local Plan the Council undertook a Sustainable Settlements Review in 2018. The purpose of the Review was to inform the Settlement Hierarchy set out in Policy SP2 of the Strategic Policies & Land Allocations DPD and assisting the identification of a number of 'Sustainable Settlements' which should be the focus for future residential growth through the life-time of the Plan. The Review was comprehensive and considered a wide range of factors to judge the sustainability of a settlement. This included the access to services (both within the settlement itself or located in nearby settlements which have good connectivity by public transport), the accessibility to public transport, population and demographics and links to employment.
- 5.2.5 In the context of Middleton, Chapter 15 of the Settlement Review is key and an extract of its conclusions is set out below:

'Middleton only contains two 'key' services, an active bus stop and a public house. In order for a settlement to be considered sustainable within this Review, a settlement is required to contain a Primary School and an Active Public Bus Stop. However, there is no Primary School. The presence of a bus service opens up the ability of residents to access services, facilities and employment opportunities outside the settlement itself. Within an 800m walking radius there are no further services/facilities which are accessible, and cycle routes are only possible to the south, and not north to the Sub Regional Centres of Heysham and Morecambe. Residents are therefore very reliant upon this bus service. Therefore, Middleton is not considered to be sustainable settlement, to become a focus for growth outside a main urban area. Predominantly due to the absence of 'key' services within the settlement itself.'

Clearly the 2018 Review is an assessment at a point in time. The Sustainable Settlement Review will be updated in the future at which point it will be updated to reflect any changes in terms of the considerations of the Review (referred to in paragraph 5.2.4).

- 5.2.6 Applications for development in rural villages must demonstrate how the proposal will meet locally identified housing need (specific to the village or parish where the site is located) for market housing, affordable housing and community needs. The Councils Meeting Housing Needs SPD at section 7.6 onwards provides specific guidance as to what proposals in rural villages need to address. Such proposals need to demonstrate how the proposal will meet locally identified housing need (specific to the village or parish where the site is located) for market housing, affordable housing and community needs. The proposals must demonstrate how the number, type, size and tenure of housing will meet the needs identified in a village or parish or meet a proven local need, such as affordable housing or targeted market housing identified in an adopted Neighbourhood Plan.
- 5.2.7 The scheme provides an opportunity to clear the site of dilapidated land and buildings and the application describes the site as “brownfield” i.e., previously developed land. However, the NPPF is very clear that land that is or was last occupied by agricultural buildings is not defined as previously developed. The submission proposes 9 open market houses but has failed to evidence how this will meet a locally identified housing need in accordance with policy SP2 of the SPLA DPD and policies DM4 and DM5 of the DMDPD.
- 5.2.8 The NPPF was revised in July 2021 but at its core, the objective to ‘significantly boost’ the supply of homes remains and is reflected in paragraph 60 of the framework. It is acknowledged that the Council cannot currently demonstrate a five-year supply of deliverable housing sites and this can only be addressed by the approval of more residential proposals and the identification of further supply through the Land Allocations process. The most up to date housing land supply position for the council is contained within the 2021 Housing Land Supply Statement (September 2021) which identifies a 2.1-year supply of housing land. The council’s lack of a five-year housing land supply is a material consideration in the determination of this application and also requires the application of the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF. This means applying a tilted balance in favour of proposals for housing development and granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. As this requires consideration of all the impacts of the development, this will be fully considered within the next section of this report and the conclusion.
- 5.3 **Flooding and drainage: NPPF paragraphs: 159-165, 167 and 169 (Planning and Flood Risk); Development Management (DM) DPD Policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM35 (Water Supply and Waste Water).**
- 5.3.1 The majority of the site is located within Flood Zone 3 which is defined as having a high probability of flooding in the National Planning Practice Guidance. Given the location of the proposed residential development, within Flood Zone 3, a Sequential Test is required to assess whether more appropriate locations exist which are in areas which are at lower risk from flooding. The need for and importance of the Sequential Test is set out in paragraph 162 of the National Planning Policy Framework (NPPF) which states that *‘The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development with a lower probability of flooding.’*
- 5.3.2 The NPPG in paragraph 23 sets out that avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. The absence of a 5-year land supply is not a relevant consideration for the sequential test for individual applications.
- 5.3.3 If it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test should be applied. For this to be passed, it must be demonstrated that: the development provides wider sustainability benefits to the community that outweigh flood risk; and that it will be safe for its lifetime taking account of the vulnerability of its users, without increasing use elsewhere, and, where possible, will reduce flood risk overall.

- 5.3.4 The applicant has submitted a Flood Risk Assessment which includes a Sequential Test. In order to assess this, the local planning authority needs to consider the scope of the test. Paragraph 27 of the NPPG states that ‘the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed.’ The type of development proposed is residential which, if permitted, would assist in meeting market housing needs within the district. The most relevant and recent evidence on market housing needs comes from the Council’s Strategic Market Housing Assessment (SHMA) which was published in 2018. The SHMA addresses housing needs / requirements on a district-wide basis and does not focus on housing needs for specific settlements, wards or parishes. As a result, the housing need for Middleton village is not known and no evidence has been provided by the applicant to evidence the level of specific local need. Given that the evidence for housing need is district-wide, the only consistent approach to take when determining a catchment area for the Sequential Test is to consider the availability of housing sites on a district-wide basis and not to purely concentrate on the availability of sites within the immediate vicinity of Middleton.
- 5.3.5 The submitted Sequential Test (ST) states that a District wide search was undertaken using the Strategic Housing and Employment Land Availability Assessment (SHELAA) 2018 of which a total of 80 sites were reviewed. The ST sets out 65 sites where allocated as housing, whilst the remaining 15 sites are considered for either employment or housing, all deliverable within 1-5 years and to be considered developable within the short term. Of the 80 sites 47 were considered to be greenfield sites and are therefore not sequentially preferable over brownfield sites (which the submission wrongly states that the application site is) and where therefore discounted from the sequential test on this basis. Out of the remaining 33 sites, the ST then goes on to eliminate the sites that cannot accommodate approximately 50% of the application site and therefore discounts 29 sites, leaving 4 remaining sites for consideration. Of these sites two are also within Flood Zone 3 and two are already developed.
- 5.3.6 The Sequential Test is obviously flawed as it refers to the site as “brownfield” but notwithstanding that given that there are many locations within the District which are on land outside Flood Zones 2 and 3, it is considered unlikely that there would not be reasonably available sites elsewhere at a lower risk of flooding which could accommodate the proposed development. It is therefore unlikely that the proposal could pass the Sequential Test even if a more appropriate assessment was submitted. Residential development is therefore considered to be unacceptable on this site.
- 5.3.7 The Environment Agency (EA) have raised no objection in principle to the proposed development but make it clear that it is for the local planning authority (not the EA) to determine whether or not the proposals satisfy the Sequential Test. They have only considered whether or not the proposals satisfy the requirements of the second part of the Exception Test. They have advised that finished floor levels should be 600mm above existing ground levels. The Flood Risk Assessment was revised during the course of the application to achieve this, to the satisfaction of the EA who have advised that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.
- 5.3.8 Even if the LPA were to accept the findings of the Sequential Test, the Exception Test would then need to be applied. For the Exception Test to be passed, it must be demonstrated that: the development provides wider sustainability benefits to the community that outweigh flood risk; and that it will be safe for its lifetime taking account of the vulnerability of its users, without increasing use elsewhere, and, where possible, will reduce flood risk overall. The very term “exception” means that it is development beyond that which would normally be allowed. The applicant’s Exception Test sets out that the re-development of a brownfield site is considered sustainable development and argues that this satisfies the first part of the Exception Test. However, as highlighted in paragraph 5.2.7, this is not a brownfield site. It is therefore considered that it has not been demonstrated that the development would provide wider sustainability benefits to the community that outweigh flood risk. With regards to the second criteria of the Exception Test the submitted Flood Risk Assessment (FRA) has been considered by the Environment Agency (EA) who are satisfied in this regard as highlighted within paragraph 5.3.7. However, notwithstanding the EA comments, these matters are considered after the Sequential Test and only relate to one criteria of the Exception Test.
- 5.3.9 It is worth highlighting that within an area although the site is within an Area Benefitting from Defences (ABD), since the production of the submitted Flood Risk Assessment, the Environment

Agency have now removed this (ABD) dataset from the Flood Map for Planning portal. This is because the Environment Agency determined that it no longer meets customer needs and creates a false sense of security for users. Furthermore, a breach in these defences cannot be ruled out during harsh conditions as highlighted by Planning Inspectors appeal decisions.

5.3.10 As the proposed development is within Flood Zone 3 the drainage system needs to be able to work effectively under surcharged conditions to ensure that flood risk is not increased on site or elsewhere. The Council's Drainage Engineer has considered the revised Drainage Strategy which sets out that surface water is to discharge into an existing on-site culverted watercourse. However, the Drainage Engineer is of the view that the information provided does not adequately justify how surface water will be dealt with and could put the development at risk. Although the drainage strategy demonstrates a detailed proposal by which this site can be drained, insufficient information has been provided in relation to the culverted watercourse were all surface water runoff is being diverted to. Furthermore, the impact of raising the land within the site and the construction of retaining walls that intercept existing surface water flow routes have not been properly considered and could increase flood risk onsite and elsewhere and could also impact existing drainage systems in the area. In addition, drainage strategy does not take into account the latest climate change allowance factors. As such the Drainage Engineer has recommended refusal of the application. In order to overcome these concerns, the applicant would need to justify the surface water drainage proposals in accordance with planning policy DM34, in order to demonstrate that the development would not present a local flood risk to itself or neighbouring properties.

5.4 **Residential amenity:** NPPF paragraphs: 92 (Promoting Healthy and Safe Communities), 130 (Achieving Well-Designed Places), Development Management (DM) DPD Policies DM2 (Housing Standards), DM29 (Key Design Principles), and DM57 (Health and Well-Being).

5.4.1 In conjunction with paragraph 127 of the NPPF, policy DM29 requires all developments to ensure that they do not give rise to unacceptable impacts on amenity or overlooking through inappropriate massing, scaling or design. In addition, policy DM2, applicants are expected to design schemes in accordance with the Nationally Described Space Standards (NDSS), including sufficient built-in storage.

5.4.2 The application seeks consent for the erection nine dwellings. There are residential properties on either side of the site, and the opposite side of the Low Road. The submitted plans indicate a separation distance of at least 21 metres between the front walls of the existing dwellings fronting onto Low Road, and those proposed at the front of the site. These neighbouring properties are also at a higher level than the application site. The plan also demonstrates that an adequate separation distance can be achieved between the side walls of the dwellings to the north and south and the rear wall of Woodburn Farm. As such, it is considered that the proposal would be adequately accommodated on the site without having a detrimental impact on the amenities of the neighbouring residential properties. Overall, it is considered that the scheme would provide an acceptable standard of residential amenity for future occupants while not impacting unduly on existing residential neighbours.

5.5 **Design and Impact on the character of the area:** NPPF paragraphs: 126-134 (Achieving Well-Designed Places), 174 (Valued Landscapes and the Countryside); Strategic Policies and Land Allocations (SPLA) DPD Policy EN3 (The Open Countryside); Development Management (DM) DPD Policies DM29 (Key Design Principles) and DM46 (Development and Landscape Impact)

5.5.1 In conjunction with the NPPF, policy DM29 seeks to secure developments that contribute positively towards the identity and character of the areas in which they are proposed. Good design should respond to local distinctiveness. The NPPF also places an increased focus on good design through advocating 'beautiful' buildings and places to reside.

5.5.2 The layout shows three of the proposed two storey dwellings fronting Low Road with six to the rear, accessed via a new internal road. It is considered that the dwellings would be adequately accommodated within the site with sufficient garden space and separation distances between the proposed dwellings. The buildings have been shown with two storeys. There is a mix of bungalows and two storey properties in the vicinity of the site. The dwellings on the opposite side of the highway are at a higher level, and the adjacent dwelling to the north is two storey. As such the scale of the proposal is considered to be acceptable. The development will also result in the removal of several

derelict buildings and should improve the overall appearance of the site. The development would extend further to the east than the adjacent residential properties, but this is not considered to have an adverse impact on the character or appearance of the area.

- 5.5.3 Plots 1, 8 and 9 would present a frontage to Low Road. Plots 2 and 3 orientated to face onto the courtyard area within the site. The site levels will be raised to improve the access and highway safety at the junction with Low Road. This requires the installation of retaining walls to the rear of properties on the eastern boundary (plots 1-7) where land levels will be increased by approximately 1.1 metres. Level access will be achieved from the internal ground floor out to the rear patio with steps down to the main garden level.
- 5.5.4 Externally, the development will comprise ivory render and coursed stone with grey framed windows under grey tiled roofs. This is considered appropriate and acceptable in the context of the site. Boundary treatments between gardens will be formed by timber fencing to a maximum height of 1800mm and retaining walls will be rendered to match the dwellings. Proposed surface treatments will be a combination of gravel for the driveways, block paved shared surfacing and tarmac.
- 5.6 **Access and highway impacts:** NPPF paragraphs: 104-106 and 110-113 (Promoting Sustainable Transport); Development Management (DM) DPD Policies DM29 (Key design principles), DM60 (Enhancing Accessibility and Transport Linkages); DM61 (Walking and Cycling); DM62 (Vehicle Parking Provision)
- 5.6.1 From a National Planning Policy perspective, paragraph 108 of the NPPF advises that where appropriate, schemes should secure safe and suitable access to the public highway for all applicable users. The NPPF further advises that sustainable transport modes should, where possible and relevant, be taken up and encouraged although this will of course depend on the type of development and its location. This requirement is reflected in policy DM29 (Key Design Principles) which requires proposals to deliver suitable and safe access to the existing highway network whilst also promoting sustainable, non-car dominated travel. Policy DM62 requires parking to be provided in accordance with appendix E of the Development Management DPD. Appendix E sets out the number of car parking spaces required as a maximum. A 3-bed dwelling should have a maximum 2 off street parking spaces and a 4-bed dwelling should have a maximum of 3 spaces.
- 5.6.2 The site already benefits from an established point of access off Low Road. This would be altered to a width of 14 metres where it meets the highway with the internal road reducing to a width of approximately 4.5 metres into the site where it meets a "T" section approximately 6.6 metres wide to provide access to the properties within the to the eastern part of the site. A footway (approximately 2 metres wide) would be provided along the site frontage and 26 metres into the site. The County Highways consultee is not satisfied that the highway arrangement within the site would allow for vehicles to manoeuvre safely and as such has raised objections. The agent is currently in negotiations with County Highways in order to agree a satisfactory solution. Should a satisfactory highway layout not be received then officers reserve the right to include an additional reason for refusal.
- 5.6.3 Each dwelling would benefit from two external parking spaces and a garage. This is considered to be acceptable and provides an acceptable level of parking. No concerns regarding the parking provision have been raised by the Highway Authority. A scheme for the provision of electric vehicle charging points would be conditioned in the case of an approval.
- 5.7 **Impact on trees:** NPPF paragraphs: 174 and 180 (Conserving and enhancing the natural environment); Development Management (DM) DPD Policies DM45 (Protection of Trees, Hedgerows and Woodland) and DM46 (Development and Landscape Impact)
- 5.7.1 The submitted Arboricultural Impact Assessment (AIA) identifies four trees and one group around the perimeter of the site, of which only one (T1) requires felling to facilitate the development. T1 is a relatively young Sycamore which has established in an area of rough grass adjacent to the highway boundary is a prominent tree in the local street scene and its removal will accommodate a suitable access and visibility splay to the site. The Tree Officer is of the view that given the defect noted in the AIA, the loss of this tree is acceptable and can be compensated for. The remaining trees are all off site, with the AIA recommending a series of pruning works to T2 and G1, on health

and safety grounds. The tree protection measures are appropriate and designed to protect crowns as there is no rooting within the site.

- 5.7.2 The submitted plans show indicative planting and this would provide mitigation for the single tree removal required within the site and represent a significant increase in tree stock. Further detail is required to ascertain the species, number and size of trees as well as hedgerow composition. This could be conditioned in addition to a long-term maintenance plan to ensure landscaping is successful.
- 5.8 **Ecological Impacts:** NPPF paragraphs: 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment), Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity NPPF paragraphs: 174 and 179-182)
- 5.8.1 The Lune Estuary is located approximately 800m to the south east and is designated as a Site of Special Scientific Interest. It is also covered by the Morecambe Bay Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site.
- 5.8.2 The site is separated from the designated area by intervening existing residential development and roads. As such, it is considered that there would be no direct impacts on the aforementioned designations. However, there is the potential for increased recreational pressure post development, although this is unlikely to be significant given the scale of the development. It is considered that this relatively small impact could be adequately mitigated through a requirement to produce and distribute a homeowner pack to future occupants, which could be controlled by a condition. As mitigation would be required, the Local Planning Authority is required to undertake an Appropriate Assessment, and this is contained in a separate document. This concludes that, with mitigation, it is considered that proposed development will have no adverse effects on the integrity of the designated site, its designation features or its conservation objectives, through either direct or indirect impacts either alone or in-combination with other plans and projects. Natural England have confirmed that the suggested mitigation in the form of homeowner packs is acceptable.
- 5.8.3 A bat, barn owl and nesting bird survey has been submitted with the application as the proposal involves the demolition of several buildings. This sets out that there was no past or current evidence of bats roosting found at the site during the survey and that the buildings are unlikely to be used by significant numbers of bats for roosting. As such, it is highly unlikely the buildings are essential for species survival. Precautionary mitigation has been advised. The report also sets out that there is a low potential for use of the site by barn owls. Whilst there are potential nest sites within the buildings, there is no indication of any type of past use. There is the potential for a disturbance to nesting birds during the construction phase, however, it is unlikely that the loss of potential nest sites would have significant long-term impacts on local bird populations as the habitat around the site is open and exposed and offers low quality foraging opportunities. A check of the site for active nest sites has been advised prior to work commencing if this is in the period of March to September. On this basis, it is considered that the development will not have a significant impact on protected species, provided that appropriate precautionary mitigation is implemented during construction.
- 5.8.4 A bat, barn owl and nesting bird survey has been submitted with the application as the proposal involves the demolition of several buildings. This sets out that there was no past or current evidence of bats roosting found at the site during the survey and that the buildings are unlikely to be used by significant numbers of bats for roosting. As such, it is highly unlikely the buildings are essential for species survival. Precautionary mitigation has been advised. The report also sets out that there is a low potential for use of the site by barn owls. Whilst there are potential nest sites within the buildings, there is no indication of any type of past use. There is the potential for a disturbance to nesting birds during the construction phase, however, it is unlikely that the loss of potential nest sites would have significant long-term impacts on local bird populations as the habitat around the site is open and exposed and offers low quality foraging opportunities. A check of the site for active nest sites has been advised prior to work commencing if this is in the period of March to September. On this basis, it is considered that the development will not have a significant impact on protected species, provided that appropriate precautionary mitigation is implemented during construction.
- 5.9 **Contaminated land:** NPPF: Chapter 8 paragraphs 92 and 98 (Promoting Healthy and Safe Communities), Chapter 12 (Achieving Well-Designed Places) paragraph 130 and paragraphs 183 –

- 5.9.1 The site has been previously used for agricultural activities. As such, there is the potential for contamination which could cause risks to future occupiers of the site. However, the nature and level is unlikely to be so significant to prevent the development being carried out. A preliminary risk assessment has been undertaken, which identifies issues relating to asbestos and polluting materials resulting from previous agricultural use. As such it is the view of the Environmental Health consultee that in the event of the application being permitted, a condition requiring further site investigation, remediation method, final report and completion certificate is required.

6.0 Conclusion and Planning Balance

- 6.1 While it is acknowledged that the site previously obtained outline consent for 9 dwellings, this consent has now lapsed, and a new Development Management Development Plan Document was adopted in July 2020. It is considered that the site is of a sufficient size to accommodate nine dwellings without having a significant adverse impact on the character and appearance of the area, residential amenity and ecology.
- 6.2 Although the site is not within a sustainable settlement the fact that the Council cannot currently demonstrate a five-year supply of deliverable housing site adds weight to the scheme. However, the site is located within flood zone 3, which is defined as having a high probability of flooding in the National Planning Practice Guidance. Due to the conflict with flood risk, the overall tilted balance is disengaged. It is considered unlikely that there are no other suitable sites within the District that are in areas that are at a lower risk of flooding. The lack of a five-year housing land supply or the benefits of removing the derelict buildings from the site do not obviate the requirement for this development to pass the Sequential Test at this moment in time. The proposal, therefore, represents an unacceptable form of development having regard to its flood zone location and the provisions of the National Planning Policy Framework. Furthermore, the submission fails to demonstrate that the site can be satisfactorily drained and would not present a local flood risk to itself or neighbouring properties.

Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. The proposal would result in the provision of residential development within flood zones 2 and 3. In the opinion of the Local Planning Authority, the submission does not satisfy the requirements of the Sequential Test or Exception Test. As such, the proposal represents an unacceptable form of development, classified as more vulnerable to flood risk within an area defined as having a high probability of flooding. The proposal therefore conflicts with the requirements and policy DM33 of the Review of the Development Management DPD and Section 14 of the National Planning Policy Framework.
2. The site is not within an identified sustainable and fails to demonstrate how the proposal will meet a locally identified housing need. The proposal would result in a more vulnerable use in an area of high probability of flooding and there are considered to be no special circumstances, in this instance, to justify new dwellings in this location. The proposal is therefore contrary to the aims and objectives of the Policy SP2 of the Strategic Policies and Land Allocations DPD and Policies DM4 and DM60 of the Review of the Development Management DPD and the National Planning Policy Framework, in particular section 5.
3. The application fails to detail the way in which the development can be sustainably drained in accordance with the surface water drainage hierarchy. It has not been conclusively demonstrated that a satisfactory arrangement for disposing of surface water can be achieved and consequently a risk of flooding would remain. The proposal therefore conflicts with the requirements of Policy DM34 of the Review of the Development Management DPD and Section 14 of the National Planning Policy Framework.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Although the applicant has failed to take advantage of this service, they have previously been made aware of the issues of concern regarding the proposal which the submission does not satisfactorily address. Consequently, the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

Background Papers

None

Agenda Item	A10
Application Number	23/00120/FUL
Proposal	Construction of climbing wall to the side of existing skate park
Application site	Green Ayre Public Open Space Parliament Street Lancaster Lancashire
Applicant	Mr Lee Zhuwao - Lancaster City Council
Agent	
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

This form of development would normally be determined under the Council’s Scheme of Delegation. However, the site is in the ownership of Lancaster City Council and as such the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site relates to a piece of existing Public Open Space (POS) within a larger area of POS on the southeast side of the River Lune. The application site abuts the existing Lancaster Skate Park which has been in place for approximately 20 years. Parliament Street is to the southeast of the site, which is lined by trees along this road frontage. There is an existing cycle way and footpath through the area of POS. The site is outside of the Lancaster Conservation Area and there is one grade II listed building in close proximity at 32 Parliament Street. Skerton Bridge is grade II* listed and a scheduled ancient monument and is located 120 metres to the north of the site.

1.2 The site is within Flood Zone 2 and partially within Flood Zone 3 and is within a Mineral Safeguarding Area. The River Lune is a Biological Heritage Site and an Environmentally Important Area.

2.0 Proposal

2.1 The application proposes the construction of 2.1 metre high climbing wall to the south western side of existing skate park. The wall itself will be 11.5 metres wide and separated from the edge of the skate park by a 3 metre wide earth ramp with a turf finish a 15 metres wide. To the front of the wall, it is proposed to finish an area of 2.5 metres by 11.5 metres in surface rubber material.

3.0 Site History

3.1 The most relevant application relates to the creation of the skate park. Other relevant applications relating to this site previously received by the Local Planning Authority are as follows:

Application Number	Proposal	Decision
14/00225/CCC	Variation of condition 9 of planning permission 12/0821/CCC to extend the hours of working to 07:30 - 19:00 hours Monday to Friday (except public holidays) and 08:00 - 15:00 hours Saturdays and Sundays	Permitted
12/00821/CCC	Temporary Construction Compound including access junction as part of larger sewer upgrade	Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Public Realm	No objections - satisfied with the details regarding the climbing wall within the open space land.
Environment Agency	No objections.
Historic England	No comments to make in respect of this application.
County Highways	No objections.
Conservation Team	No comments to make in respect of this application.
Lancashire Constabulary	No comments received.
Property Services	No comments received.

4.2 No comments have received from members of the public in response to the site notice that was posted.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle
- Design and Heritage Impacts
- Flood Risk
- Ecological Impacts

5.2 **Principle** - NPPF paragraphs: 7 – 12 (Achieving Sustainable Development), 92 - 93 (Promoting healthy and safe communities), 98 – 99 (Open space and recreation); Development Management (DM) DPD Policies DM26 Public Realm and Civic Spaces; DM27 Open Spaces, Sports and Recreational Facilities; Strategic Policies and Land Allocations DPD Policies SP1 (Presumption in Favour of Sustainable Development) SC3 (Open Space, Recreation and Leisure) and T2 (Cycle Network)

5.2.1 The NPPF (paragraph 98) highlights the importance of access to a network of high-quality open spaces and opportunities for sport and physical activity for the health and well-being of communities. Existing open space should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision or the development is for alternative sports and recreational provision. Policy SC3 sets out that existing open space and recreation facilities have been identified on the Local Plan Policies Map. These sites, identified for their recreation will be protected from inappropriate development in accordance with relevant national and local planning policy. As set out within policy DM26, improvements and enhancements to public realm and civic space will be supported. Policy DM27 goes on to advise that proposals that seek to protect and enhance existing designated open spaces, sports and recreational facilities shall be supported by

the Council. Any provision for sports or recreational facilities should be fully accessible to the public without any restrictions and should not have an adverse impact on surrounding residential amenity in terms of light and noise disturbance.

5.2.2 The proposal will utilise an area of 73.75 square metres and it is considered that the development will provide public value to the existing Skate Park and to Green Ayre Open Space. The scheme will promote health and well-being. The development will enhance opportunities for sport and recreational activities for children and promote health and social wellbeing as climbing allows children to build their physical strength and gross motor skill leading to a healthier and active lifestyle.

5.2.3 It is considered that the proposal complies with the relevant policies outlined above and can be supported in principle.

5.3 **Design and Heritage Impacts:** NPPF: paragraphs 126-136 (Achieving Well-Designed Places), paragraph 194 (Proposals affecting heritage assets)

5.3.1 In conjunction with the NPPF, policy DM29 seeks to secure developments that contribute positively towards the identity and character of the areas in which they are proposed. Good design should respond to local distinctiveness and a focus on an appropriate palette of materials will be important.

5.3.2 The proposal will utilise the remaining concrete precast units left over from the recently constructed Lune flood defence works to create a climbing wall next to the existing skate park. The development will be softened by the proposed turfing at the junction between the Skate Park wall and the climbing wall. The design will complement the existing Skate Park and will not have an overbearing effect on the site.

5.3.3 The site is 72 metres from a grade II listed building on Parliament Street. Given the distance and presence of intervening tree screening the development will not impact on the setting of this building. Skerton Bridge is grade II* listed and a scheduled ancient monument and is located 120 metres to the north of the site. The development will be in the wider setting of this heritage asset but will be viewed in the context of the existing Skate Park. As such it is considered that the scheme would result in less than substantial harm. This harm would be outweighed by the public benefits.

5.3.4 Overall, it is considered that the proposal is acceptable in terms of design and heritage impacts.

5.4 **Flood Risk :** NPPF paragraphs: 159-165, 167 and 169 (Planning and Flood Risk); Development Management (DM) DPD Policies DM33 (Development and Flood Risk)

5.4.1 The development would be sited within a Flood Zone 2 and partially within Flood Zone 3. However, the proposal is not of a scale or type that would increase flood risk elsewhere and the Environment Agency have raised no concerns in respect of the application.

5.5 **Ecological Impacts:** NPPF paragraphs: 174 and 179-182 (Habitats and biodiversity); Strategic Policies and Land Allocations (SPLA) DPD policies: SP8 (Protecting the Natural Environment), Development Management (DM) DPD policies DM43 (Green Infrastructure), DM44 (Protection and Enhancement of Biodiversity NPPF paragraphs: 174 and 179-182)

5.5.1 The site is located adjacent to the River Lune Biological Heritage Site (BHS) which is a non-statutory designated site for nature conservation. The site itself is within an existing industrial area and is comprised hard standing. It is considered appropriate to include the requirement of a Construction and Environmental Management Plan by a condition in order to avoid adverse impacts to the BHS during construction.

6.0 Conclusion and Planning Balance

6.1 The proposal will make good use of precast concrete panels which are left-over from a major flood defence project. It is considered that the scheme will enhance the public offer for recreational activities in this location and is acceptable in terms of design and heritage impacts. The application can therefore be viewed favourably.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale for commencement	Control
2	Plans	Control
3	Details of surface material	Pre-commencement
4	Construction and Environmental Management Plan	Pre-commencement

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A11
Application Number	23/00239/FUL
Proposal	Retrospective application for the siting of a retail pod in car park
Application site	Lancaster City FC Giant Axe Field West Road Lancaster
Applicant	Mr Andrew Baker
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

This form of development would normally be determined under the Council’s Scheme of Delegation. However, the site is in the ownership of Lancaster City Council and as such the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site which forms the subject of this application is at Giant Axe Playing Field, which is used by Lancaster City Football Club and as a public recreation ground. The site is located to the west of Lancaster Railway Station.

1.2 Under the Strategic Policies and Land Allocations DPD the site is designated as Open Space (Policy SC3) and the Giant Axe Field to the east of the site is designated as a Local Green Space (SC2).

2.0 Proposal

2.1 The retrospective retail pod is sited to the south of the football pitch within the car parking area. The retrospective retail pod is required to provide a revenue for the Football Club, whilst utilising a small area of the existing car park that is only used on match days and on training days.

2.2 The retail pod measures 4.8m in length, 3.2m in width and 2.8m in height and will be finished in white metal with numerous stickers and signage. The signage is to be determined through application 23/00240/ADV that is also to be presented to the Planning Regulatory Committee.

2.3 The retail pod was sited within the car parking of Lancaster Football Club on 15th September 2022 and therefore the LPA has considered the works as retrospective.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
15/00245/FUL	Retrospective application for demolition of lean-to extension and erection of a single storey rear extension to Pavilion	Approved
21/00498/FUL	Installation of a water supply pipe	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Lancaster City Property Services	At the time of compiling this report, no comments received.
Lancashire County Highways	<p>No Objection, the proposal should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site and have recommended the following condition:</p> <ul style="list-style-type: none"> The works to the West Road entrance require the applicant to apply for section 278 works with Lancashire County Council.
Lancaster Civic Society	<p>Objection, the Giant Axe Field has been traditionally set aside for sporting activities and the encroachment into this for commercial usages should be resisted. Retrospective works should be discouraged for future references. The presentation of the application is designed to be misleading.</p>

4.2 At the time of compiling this report, no neighbour representatives have been received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of Development
- Design
- Highways and Parking
- Residential Amenity

5.2 Principle of Development (NPPF Section 2, Policy SP1 of the Strategic Policies and Land Allocations DPD and Policy DM15 of the Development Management DPD)

5.2.1 The retrospective works relate to the siting of a retail pod to the south of the existing football pitch for Lancaster FC and within the existing car park. The pod is used by the company webuyanycar.com; customer quotations are obtained online for the sale of their car and if accepted, this location provides a convenient place for customers to drop off their cars once the company has bought them. No cars are sold from the site and all cars are taken off site and sold at auction. The pod provides a building that an employee can inspect the car and agreements to buy the car are signed. In addition to the retail pod there is space to the north of the car park that can accommodate up to ten cars to allow for the cars that are bought by the company to be stored on site until they are collected and taken off site, which is within a 72 hour period.

5.2.2 The retail pod occupies a small section of Lancaster FC car parking area and the nature of the business, in so far as the cars are only stored on site for a maximum of 72 hours, does

not alter the operational needs of Lancaster FC. The business is considered to be small and due to the ethos of the business to accept cars and fill in associated paperwork on site, the principle of the development in this location is considered to be acceptable.

5.2.3 Policy SC3 of the Strategic Policies and Land Allocations DPD (SPLA DPD) sets out land within the district that is collocated as open space, recreation and leisure use. The site is allocated as an open space due to the land being used as a football pitch by Lancaster Football Club. The policy states that existing open space and recreation facilities will be protected from inappropriate development that would result in the loss of playing pitches including playing fields.

5.2.4 The specific area of the site for the retrospective works is within the car parking area of the football club, therefore the works have not encroached or will result in the loss of football pitch and/ or its required facilities. Consequently, although the entire area is allocated as an open space, the proposal would not negatively impact upon the delivery and functionality of the site for recreational purposes to the extent that a conflict with policy and would be considered to be unacceptable. Consequently, the development is not considered to conflict with the requirements of policy SC3.

5.2.5 The LPA is aware that cars have been collected on match days and due to the site being used for football matches, that the transporter was unable to enter the site due to a full car park. To ensure that this does not happen again in the future, a condition can be provided to ensure that cars are not collected on match days or grass root fixtures. Again, with the provision of such a condition the proposal is considered to be acceptable in principle and not in conflict with the primary purpose of the recreational and leisure purpose.

5.3 Design (NPPF Section 12 Achieving well-designed places, 154 -155, Development Management (DM) DPD Policies DM29 Key Design Principles)

5.3.1 Policy DM29 of the DPD requires a good standard of design, requires proposals to demonstrate an understanding of the wider context so that they make a positive contribution to the local area. The existing car parking area has a tarmacked surface with numerous shipping containers and portable cabins within. To the south of the car parking area are two buildings that are used by the scouts, the nearest of which is finished in pebble dash with a galvanised roller shutter garage door. The retrospective building is of a scale that is in keeping with the existing buildings within site and in terms of design, the retail pod is in keeping with the context of the site and wider area. In this respect the development is considered acceptable in terms of design.

5.4 Highways and Parking (NPPF Section 12, policies DM62: Vehicle Parking Provision)

5.4.1 The retrospective retail pod is to be located within the existing informal car parking area for the football club and its size uses the equivalent of one car parking space. In accordance with Appendix E of the DPD, the retail pod should provide an additional one car parking space. Given the minimal amount of additional car parking spaces required for the development and due to the proposal not operating on days when the site is used for its primary purpose, it is not considered in this instance that the additional car parking space is required.

5.4.2 It is acknowledged that an additional 10 car parking spaces are required to store cars that are awaiting to be collected and taken off site. However, the car parking spaces are not marked within the site, there is no building that will occupy the spaces and collection of the cars from the site is frequent, therefore no additional car parking is required.

5.4.3 The existing access from West Road into the site is to be utilised. Swept path analysis has been provided to the LPA to show that a transporter can enter and exit the site in a forward gear to collect the cars. The swept path analysis does show that the west pavement to the entrance into the site is marginally clipped by the transporter and although the pavement is the same height as the road, it is not meant to bear the load of a heavy vehicle.

5.4.4 Lancashire County Highways have raised no objections to the works, requesting a

condition that 278 works will be required to reduce the width of the pavement to ensure that the transporter vehicle does not breach the pavement. As the works are retrospective, the works will be requested via condition to be applied for and carried out within 6 months of the date of the decision.

5.5 Residential Amenity (NPPF Section 12, policies DM29: Key Design Principles)

5.5.1 The retail pod is sited to the far north of the existing car parking and is sited 40m to the nearest residential property of 27 West Road. Given the retail pod is used by one person to fill in associated paperwork for the cars that are being sold, no concerns are raised regarding the impact of the use of the buildings to the amenity of the nearest residents. Similarly, the cars that are being dropped off by customers to the business is not considered to be any different to the remainder of the site which is used as a car park for the football club.

5.5.2 Hours of work have been included within the submission and although are not thought to be unreasonable, to ensure that the business does not work at unreasonable times of the day for example 24 hours of the day, a condition can be provided to ensure that the working hours as stated are adhered to.

6.0 Conclusion and Planning Balance

6.1 The development will provide revenue to Lancaster FC, whilst utilising a small area of the existing car park. Furthermore, the proposal also seeks to support local economic growth. The retail pod would not encroach or result in the loss of the existing football pitch and the recreational facilities. The scale and design of the retail pod is thought to be simple and is not out of character with the numerous shipping containers and portable buildings that are currently within the site. The retail pod will have a negligible impact upon the amenity of the nearest properties and, although one additional car parking space would ordinarily be required to comply with Appendix E of the DPD, the minimal amount of additional car parking required on this occasion is not considered necessary to make the proposal acceptable.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	278 works required within 6 months	Control
2	Hours of opening of the retail pod	Control
3	The collection of cars from the site shall not be collected on match days and/or grass root fixtures	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council has made the decision in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A12
Application Number	23/00240/ADV
Proposal	Advertisement application for the retrospective display for the siting of a retail pod in car park
Application site	Lancaster City FC Giant Axe Field West Road Lancaster
Applicant	Mr Andrew Baker
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

This form of development would normally be determined under the Council’s Scheme of Delegation. However, the site is in the ownership of Lancaster City Council and as such the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site which forms the subject of this application is at Giant Axe Playing Field, which is used by Lancaster City Football Club and as a public recreation ground. The site is located to the west of Lancaster Railway Station.

1.2 Under the Strategic Policies and Land Allocations DPD the site is designated as Open Space (Policy SC3) and the Giant Axe Field to the east of the site is designated as a Local Green Space (SC2).

2.0 Proposal

2.1 The application is seeking retrospective consent for the installation of four fascia signs to the retail pod that is sited to the north of the existing car park of Lancaster FC. The facias to the north and south elevations of the retail pod are 4.8 metres in width and 0.4 metres in height each. The facias to the east and west elevations of the retail pod are 3.2 metres in width and 0.4 metres in height each. The four fascia signs are non-illuminated and will be made up of vinyl.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
15/00245/FUL	Retrospective application for demolition of lean-to extension and erection of a single storey rear extension to Pavilion	Approved
21/00498/FUL	Installation of a water supply pipe	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Lancaster City Property Services	At the time of compiling this report, no comments received.
Lancashire County Highways	No Objections
Lancaster Civic Society	Objection , the Giant Axe Field has been traditionally set aside for sporting activities and the encroachment into this for commercial usages should be resisted. Retrospective works should be discouraged for future references. The presentation of the application is designed to be misleading.

4.2 At the time of compiling this report, no neighbour representatives have been received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Amenity
- Public and Highway Safety

5.2 Amenity (NPPF Section 12: Achieving well-designed places, Policies DM21: Advertisements and Shopfronts, DM29: Key Design Principles)

5.2.1 The application seeks retrospective consent for the display of four fascia's to the retail pod that is occupied by webuyanycar.com within the car park of Lancaster FC. The signage is of a simple design that has been applied to the top of each elevation of the retail pod. The design and scale of the signage is considered to be proportionate to the retail pod and will not detract from the amenity of the area, given the site has various other signage that is displayed on the existing shipping containers and portable buildings that are within the site. The retail pod is situated 108 metres into the site from West Road, therefore the signage is not considered to cause harm to the overall site.

5.3 Public and Highway Safety (Policy DM21: Advertisements and Shopfronts)

5.3.1 The retrospective signage is not considered to have an impact upon the highway, due to no illumination and the distance from the signage on the retail pod to West Road. The signage will not impede pedestrian movements due to the signage being attached to the highest part of the retail pod, thus no adverse impact upon public safety.

6.0 Conclusion and Planning Balance

6.1 The signage is of a simple design that is proportionate in scale to the retail pod and its use. The signage is not considered to have a detrimental impact upon the amenity or safety of the area, whilst causing no harm to the wider setting of the site.

Recommendation

That Advertisement Consent BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales valid for 5 year period	Control
2	No advertisement is to be displayed without the permission of the owner of the site	Standard Advertisement Condition
3	No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals	Standard Advertisement Condition
4	Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site	Standard Advertisement Condition
5	Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public	Standard Advertisement Condition
6	Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity	Standard Advertisement Condition

Background Papers

None

Agenda Item	A13
Application Number	23/00649/FUL
Proposal	Retrospective application for the temporary siting of 2 portable buildings to provide office space
Application site	Lancaster City Council White Lund Depot White Lund Road Morecambe
Applicant	Mr Daniel Wood
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval, subject to conditions and to delegate decision back to the Head of Planning and Climate Change

(i) **Procedural Matters**

This form of development would normally be determined under the Council's Scheme of Delegation. However, the site is in the ownership of Lancaster City Council and, as such, the application has been put before the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The White Lund Depot is situated to the north east of White Lund Road, near to the junction of White Lund Road and Westgate. The site comprises of numerous buildings that include office buildings, store rooms and the White Lund Plant Centre. The remainder of the site consists of parking for Council vehicles and staff parking.

1.2 To the west of the site are six residential properties, with further residential properties to the west of White Lund Road. To the north, east and south of the application site are various commercial properties that include Home Bargains, Whitehouse Motors and Catlows Coal.

1.3 The site is situated within White Lund Industrial Estate.

2.0 Proposal

2.1 The retrospective siting of two temporary portable buildings is to the north of the existing office building. The retrospective temporary portable buildings are required to provide temporary office accommodation, as the existing office building is in a state of deterioration, such that it is unsuitable for staff to work within. The portable buildings are a temporary solution, whilst an alternative permanent solution is explored.

2.2 The retrospective two portable buildings measure 14.5m in length, 3.9m in width and 2.9m in height

per building and are finished in grey metal with a matt finish and upvc windows and doors.

2.3 The portable buildings were sited within White Lund Depo on 30th June and therefore the LPA has considered the works as retrospective.

3.0 Site History

3.1 There have been a number of planning applications previously submitted for the overall site, however none relate to the specific siting of the proposed portable buildings.

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Morecambe Parish Council	At the time of compiling this report, no comments received.
Lancashire County Highways	No Objection
Lancaster City Environmental Health Officer	At the time of compiling this report, no comments received.
Lancaster City Property Services	At the time of compiling this report, no comments received.
Environment Agency	At the time of compiling this report, no comments received.

4.2 At the time of compiling this report, no neighbour representatives have been received. Due to the Committee meeting being the last one before September, the application has been brought before Members and will still have three days left on the Statutory public consultation period. The recommendation is approval, subject to conditions and for the decision to be delegated back to the Chief Officer to issue following the expiry of the consultation period and subject to no material planning considerations being made.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of Development
- Design
- Highways and Parking
- Residential Amenity
- Flooding

5.2 Principle of Development (NPPF Paragraphs 81 and 83: Building a Strong, Competitive Economy, (DM) DPD Policy DM14: Proposals Involving Employment and Premises, Strategic Policies and Land Allocations (SPLA) DPD Policy EC1: Established Employment Areas)

5.2.1 Policy EC1 of the Strategic Policies and Land Allocations DPD (SPLA DPD) sets out established employment areas in the district, stating that the Council will seek to support and encourage economic growth and new development opportunities within established employment areas. In particular development proposals for B1, B2 and B8 will be supported in principle. The site is located to the north west of White Lund Industrial Estate, which is listed within Policy EC1 of the SPLA DPD as an established employment area.

5.2.2 The White Lund Depot site is a primary location for Lancaster City Council's community based teams. The existing offices within the site provide accommodation for the office based staff to enable them to provide support to the operation of the community based teams. The temporary portable offices will provide the continuation of the office based staff within the site and will meet operational requirements.

- 5.2.3 Although the retrospective offices falls within use class E(g)(i) the proposed use is ancillary to the main use of the B2 use (General Industry) and is integral to the continued operation of the overall site. Therefore the development meets the requirements set out within policy EC1 of the SPLA DPD.
- 5.2.4 The site is allocated as a mineral and waste site. The retrospective works are to provide two portable buildings to continue the use of the site as a depot for the community based teams. Although the works do not constitute a mineral and waste use of the site, the use of the site as a depot is not altering and therefore on this occasion the works are considered acceptable.
- 5.3 Design (NPPF Section 12 Achieving well-designed places, 154 -155, Development Management (DM) DPD Policies DM29 Key Design Principles)
- 5.3.1 Policy DM29 of the DPD requires a good standard of design, requires proposals to demonstrate an understanding of the wider context so that they make a positive contribution to the local area. The retrospective portable buildings are of a scale that is in keeping with the existing buildings within the site. Although the design of the portable buildings is simple, they are of a temporary nature whilst a permanent solution of the existing office buildings is sought. The structures are considered to be functional to the operation of the site and therefore acceptable due to the short period of time they will be located within the site.
- 5.4 Highways and Parking (NPPF Section 12, policies DM62: Vehicle Parking Provision)
- 5.4.1 The retrospective siting of the two portable buildings is to be located within a small area of informal parking within the site that accommodates a maximum of six vehicles. In accordance with Appendix E of the DPD, the two portable buildings should provide an additional two car parking spaces. Given the minimal amount of additional car parking spaces required for the development and since the Council declared a Climate Emergency in 2019, there is a desire to move away from the use of private motor vehicles in favour of sustainable transport options. The site is within easy reach of bus and cycle routes and there is provision of 40 bicycle spaces that is to remain unaltered with the development; furthermore, the development is temporary, therefore on this occasion the additional car parking spaces are not considered necessary to insist upon.
- 5.4.2 The Highway Development Control Section of Lancashire County Council has raised no objections to the planning application.
- 5.5 Residential Amenity (NPPF Section 12, policies DM29: Key Design Principles)
- 5.5.1 The retrospective portable buildings will allow the continued support to the operation of the community based teams. The buildings are well within the parameters of the White Lund Depo and are sited 33m to the six nearest residential properties to the west of the site. Given that the portable buildings are being used as offices, no concerns are raised regarding the impact of the use of the buildings to the amenity of the nearest residents, with regards to noise and general disturbance.
- 5.6 Flood Risk and Drainage (NPPF Chapter 14 Planning for Climate Change paragraphs 152-154, 157, Planning and Flood Risk paragraphs 159--169; paragraphs, Strategic Policies and Land Allocations (SPLA) DPD Policy EC1: Established Employment Areas, Development Management (DM) DPD policies DM33 Development and Flood Risk, DM34 Surface Water Run-off and Sustainable Drainage and DM35 Water Supply and Waste Water)
- 5.6.1 National and local planning policy aims to direct development to areas within the lowest probability of flooding (floodzone 1). This is particularly important for development that would be vulnerable to flood risk. The existing access into the site lies within a floodzones 2, however the location of the portable buildings is within a floodzone 1.
- 5.6.2 The site is within an existing allocated industrial estate and the retrospective portable buildings are required to provide support to the operation of the community based teams, therefore, the development cannot be located elsewhere within the district. Notwithstanding the need of the portable buildings, and that the portable buildings cannot be located elsewhere within the district, the part of the site that is located within a floodzone 2 is the existing access and not the location of the portable buildings. Therefore the development is considered to comply with the requirements of local

and national planning policy regarding flood risk.

- 5.6.3 The development is to collect surface water and will connect to the existing surface water system that is currently in place and discharges to an existing watercourse.
- 5.6.4 The portable buildings internally will provide office space and therefore no foul drainage is required, as facilities are provided elsewhere within the site.

6.0 Conclusion and Planning Balance

6.1 The development is sought to provide a temporary solution to accommodation needs as the existing office buildings are currently not fit for purpose. The portable buildings will allow the continued support to the operation of the community-based teams within the site. The scale and design of the buildings are thought to be simple, but functional as a temporary measure and will have a negligible impact upon the visual, and general, amenity of the nearest properties. Two additional car parking spaces would ordinarily be required to comply with Appendix E of the DPD, however given the minimal amount of additional car parking required and the Council’s position of a Climate Emergency, there are sustainable transport options that are within easy reach of the site and therefore on this occasion the additional car parking spaces have not been requested.

Recommend agreement to Officer recommendation and delegate back to Head of Planning and Climate Change

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Temporary 6 Months	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council has made the decision in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A14
Application Number	23/00524/FUL
Proposal	Erection of a single storey extension to the rear and construction of a hipped roof extension above existing garage
Application site	58 Lister Grove Heysham Morecambe Lancashire
Applicant	Mr. & Mrs. S. Moneagle
Agent	Building Plan Services
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) **Procedural Matters**

This form of development would normally be dealt with via the Scheme of Delegation however, the applicant is employed by Lancaster City Council and therefore, the application is required to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

- 1.1 58 Lister Grove is a detached dwellinghouse located in Heysham, which features a split-level design with a single storey height to the front and a larger one and a half storey height to the rear, due to the sloping ground level. The building features a rosemary tiled hipped roof with pebble dashed exterior with white uPVC windows throughout. There is an existing flat roof garage to the side and a flat roof extension to the rear.
- 1.2 The property benefits from a large rear garden which measures c.350sqm which also features an outbuilding in the northern corner of the site. The rear boundary is comprised of c.1.5m/1.8m high wall and fencing.
- 1.3 There are no significant site constraints affecting the determination of this householder planning application.

2.0 Proposal

- 2.1 This application seeks consent for the erection of a single storey rear extension and installation of a hipped roof above the existing flat roof garage. The extension measures approximately 3.9m in depth, 6.1m in width and is sited on pillars which results in a flat roof height of 4.3m and is finished

in WPC dura cedar cladding. The hipped roof will increase the roof height of the garage by approximately 1.9m and is to be finished in tiles to match the existing dwelling.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
12/01068/FUL	Partial demolition of existing conservatory and decking and erection of new conservatory	Permitted
04/00983/FUL	Erection of an extension to the side	Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Heysham Parish Council	No response

4.2 No responses have been received from members of the public.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Design and streetscene impact
- Residential amenity

5.2 **Design and streetscene impact** (NPPF paragraphs 126, 130 and 134 and policy DM29 of the Development Management DPD)

5.2.1 Good design is expected by policy DM29 which states that new development should 'contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palate of materials, separation distances, orientation and scale.

5.2.2 The proposed extension matches the flat roof design of the existing rear extension and is also sited on matching pillars. While the proposal will increase the overall width of the existing rear extension, it does not extend beyond the side elevation of the dwelling helping to maintain a sense of proportion. The choice of dura cedar cladding will also help to provide a visual break in the elevation. Notwithstanding this point, clear views of the extension from Lister Grove will be screened by the existing dwelling and as such, there will be no significant visual changes upon the street scene. There may be distant views of the extension in between dwellinghouses when viewed from Kingsway to the east but due to distances involved and numerous other dwellinghouses which have been altered and extended, it will not appear obtrusive within this setting.

5.2.3 The hipped roof will match the form and materiality of the existing dwelling whilst the reduced ridge and eaves height appear subservient to the main dwelling, and also help to provide a visual break on the elevation. This element raises no visual concerns.

5.3 **Residential amenity** (NPPF paragraphs 126, 130 and 134 and policy DM29 of the Development Management DPD)

- 5.3.1 Policy DM29 requires all new development to ‘ensure there is no significant detrimental impact to amenity in relation to overshadowing, visual amenity, privacy, overlooking, massing and pollution.’
- 5.3.2 The extension features a single large opening on the rear elevation, but this remains approximately 15m from the rear boundary and approximately 25m from the rear elevation of 155 Kingsway. In addition, the rear elevation already features large, glazed openings and the proposal does not extend any further towards the rear boundary than the existing extension. As such, the proposal will not have an adverse impact on privacy levels for the neighbouring properties.
- 5.3.3 The extension will run alongside the side elevation of 60 Lister Grove, although it will be set in between approximately 1.8m and 2.6m from the shared boundary and will face onto the driveway and side kitchen window. Despite the height of the extension, the driveway of no.60 is on a much higher land level and views from here will continue to benefit from open views of the sky above. Similarly, the provision of a hipped new roof that projects away from the neighbouring property will not extend higher than the existing dwellings main roof and although closer to the neighbouring property, it is considered to be sufficiently set in from the boundary and will not significantly harm the amenity of the neighbour. In addition to these points, as the extension and new roof are located to the northeast of the neighbouring property, there will be little impact on light levels due to the siting and solar orientation.
- 5.3.4 Whilst it is acknowledged that the occupants of no.60 benefit from a pleasant view from their kitchen and driveway over the garden of no.58 and towards the distant landscape and hills which may be affected by the proposal, the loss of a personal view is not a material consideration. Therefore, when considering the impact in terms of overbearing, loss of light and privacy, the proposal will not have an adverse impact upon any of these elements and therefore complies with policy DM29.

6.0 Conclusion and Planning Balance

- 6.1 The proposal will provide an extension and alterations to an existing dwellinghouse with no adverse impacts upon the visual amenity of the street scene or upon the amenity of the nearby residential properties. As such, the proposal is seen to comply with the relevant local and national policies and is therefore recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescales	Standard
2	Development to accord with plans	Standard

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s).

Lancaster City Council has made the decision in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None

Agenda Item	A15
Application Number	23/00645/FUL
Proposal	Erection of single storey rear extension
Application site	29 Patterdale Road Lancaster Lancashire LA1 3HN
Applicant	Mr Tom Greenwood
Agent	Mr Lee Donner
Case Officer	Ms Soraya Moghaddam
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

This form of development would normally be dealt with the Scheme of Delegation. However, as the property is under the ownership of Lancaster City Council, the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site which forms the subject of this application is 29 Patterdale Road, a semi-detached two storey dwellinghouse, located to the east of Lancaster City Centre. The application site gains access off the A6 via Bulk Road, Ridge Lane, and then Keswick Road. The property is on the north side of the road with a northwest-facing garden. The application site is situated approximately 61m from Lancaster Canal to the north-west and lies within the canal consultation zone. The property comprises of pebble-dashed exterior walls, with upvc windows and doors, underneath a slate roof. The site benefits from a good-sized amenity space to the rear and features a shared store along the northern shared boundary of No. 31 Patterdale Road.

2.0 Proposal

2.1 This application seeks consent for the erection of a single storey rear extension. The extension will measure a depth of 4m and a width of 7.1m, featuring a lean-to pitched roof with an eaves height of 2.7m and a maximum height of 3.6m. The extension will be finished to match the appearance of the existing dwelling, comprising of dashed exterior walls, upvc windows, underneath a slate tiled roof. The lean to pitched roof will feature a Velux roof light, and the rear elevation will feature 3 additional windows.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
23/00647/PLDC	Proposed lawful development certificate for erection of single storey side extension with access ramp	PERLDC

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Property Services	Awaiting Response
Canal and River Trust	Awaiting Response

4.2 At the time of writing, no representations have been received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Design
- Residential Amenity
- Lancaster Canal

5.2 Design (Policy DM29 of the Development Management DPD and NPPF Section 12)

5.2.1 The single storey rear extension is considered to appear subservient to the host dwelling and the site, consisting of a modest footprint and appropriate height and is not considered to appear overbearing to either adjacent neighbouring property. The extension will be obscured from the street scene given its siting to the rear of the property, and it is not considered to result in a negative impact upon the visual amenity of the wider area. The extension is to be finished in materials to match the host dwelling and will therefore integrate well with the design and appearance of the host dwelling.

5.3 Residential Amenity (Policy DM29 of the Development Management DPD and NPPF Section 12)

5.3.1 Views from the rear ground floor windows of the proposed extension will afford an outlook similar to existing, looking towards the applicant's own amenity space to the rear, which is well screened to all shared boundaries by satisfactory boundary treatments. Suitable separation distances of at least 21m are retained between the single storey habitable room windows to the rear elevation, between the opposing neighbouring property to the northwest. There are no additional windows to the side elevations. It is considered that the proposal raises no privacy or overlooking issues.

5.3.2 The extension does not intersect the 45-degree line taken from the rear habitable room windows to either adjacent property, and would therefore not result in a detrimental impact upon the light levels to these neighbouring dwellings.

5.3.3 An appropriate amount of private garden space is retained to the rear, suitable for a property of this size.

5.4 Lancaster Canal (Policy T3 of the Strategic Policies and Land Allocations DPD)

- 5.4.1 Policy T3 of the SPLA states that development adjacent to waterways will only be permitted if it can be demonstrated that it would not adversely impact on the structural integrity of the waterway or its related infrastructure and assets.
- 5.4.2 Whilst the consultation period has not yet expired for the Canal and River Trust to provide comments, given the small-scale nature of this householder planning application, and the distance of the site away from Lancaster Canal, it is considered that the proposed development would not result in an adverse impact upon the waterway.

5.5 **Other Matters**

- 5.5.1 An application seeking a lawful development certificate for the erection of a single storey side extension with access ramp was submitted at the same time as the full planning application. The PLDC application has been granted, as it meets the criteria set out within Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. As the application for permitted development is not a full planning application, and is deemed acceptable under the provisions of the above Order, determination by the Planning Regulatory Committee is not required.

6.0 Conclusion and Planning Balance

- 6.1 For the reasons outlined above, subject to the any possible conditions received from statutory consultees, the proposal is considered to comply with the relevant local and national policies and as such is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard Planning Permission Timescale	Control
2	Development in accordance with approved plans	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

LIST OF DELEGATED PLANNING DECISIONS

LANCASTER CITY COUNCIL

APPLICATION NO	DETAILS	DECISION
21/00155/DIS	Ward Field Farm, Main Road, Galgate Discharge of conditions 3, 4, 7, 8, 11, 16, 18 and 20 on approved application 17/00944/OUT for Miss Hannah Wild (Ellel Ward Ward)	Application Permitted
21/01500/REM	Bank House Fly Fishery Car Park, Lancaster Road, Caton Reserved Matters application for the erection of a detached dwelling (C3) with associated access, soakaway and landscaping and installation of a sewage treatment plant for MH Stainton Homes Ltd (Lower Lune Valley Ward Ward)	Application Permitted
22/00093/DIS	Ward Field Farm, Main Road, Galgate Discharge of condition 4 on approved application 19/01100/REM for Hollins Homes (Ellel Ward Ward)	Application Permitted
22/00144/DIS	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Discharge of conditions 3,4,5 and 6 on approved application 21/00358/LB for Mr Mark Drinkall (Kellet Ward 2015 Ward)	Split Decision
22/00145/DIS	Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Discharge of conditions 3, 5, 6, 7, 8, 9, 10 and 11 on approved application 21/00363/FUL for Mr Mark Drinkall (Kellet Ward 2015 Ward)	Split Decision
22/00179/DIS	Hill Top Farm, Hill Lane, Nether Kellet Discharge of part of condition 3 and discharge of conditions 4,5,6 and 7 on approved application 22/00872/VCN for Mrs M Cornthwaite (Kellet Ward 2015 Ward)	Split Decision
22/01349/FUL	Land East Of Bank Barn, Village Road, Cockerham Erection of a detached dwelling and associated hard landscaping for Karen Holden (Ellel Ward Ward)	Application Permitted
22/01406/FUL	2 Crookhey Gardens, Cockerham, Lancaster Retrospective application for the change of use of estate road to domestic curtilage and erection of fence and gates for Mrs Sarah Hurst (Ellel Ward Ward)	Application Permitted
22/01407/LB	2 Crookhey Gardens, Cockerham, Lancaster Listed building application for the erection of fence and gates for Mrs Sarah Hurst (Ellel Ward Ward)	Application Permitted
22/01447/FUL	Moss Farm, Hawes Villa Caravan And Campervan Park, Moss Lane Erection of a dwelling with detached garage for Mr and Mrs Lawton (Silverdale Ward Ward)	Application Permitted
22/01486/FUL	11A Yealand Road, Yealand Conyers, Carnforth Erection of single storey side and rear extensions for Mr C. Hobbs (Warton Ward Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

22/01507/FUL	Land East Of Nether Beck, Netherbeck, Carnforth Erection of an agricultural building with associated new access, internal track and landscaping for Colin Birkett (Carnforth And Millhead Ward Ward)	Application Permitted
22/01543/FUL	Middleton Towers Leisure Club, Natterjack Lane, Middleton Change of use of a part of a mixed use unit comprising of 1 residential flat and ancillary office/leisure facilities to 3 holiday units for Preesall Estates Ltd (Overton Ward Ward)	Application Permitted
22/01544/LB	Middleton Towers Leisure Club, Natterjack Lane, Middleton Listed building application for repairs to windows and doors, removal and construction of internal partition walls and insertion and infill of internal doorways for Preesall Estates Ltd (Overton Ward Ward)	Application Permitted
22/01559/FUL	Ireby Green Caravan Park, Woodman Lane, Ireby Change of use of agricultural land for the siting of 13 seasonal caravan pitches for Mr John Welbank (Upper Lune Valley Ward Ward)	Application Permitted
22/01600/FUL	18 King Street, Lancaster, Lancashire Change of use of ground floor shop (Use class E) to hot food takeaway (Sui generis) and part retrospective application for the installation of flue to the rear elevation for Miss K. Jeevatha-nusha (Castle Ward Ward)	Application Refused
22/01604/FUL	Yealand Hall Farm, Silverdale Road, Yealand Redmayne Siting of a caravan for residential occupation for an agricultural worker with construction of associated hardstanding for Mr M Holgate (Silverdale Ward Ward)	Application Refused
23/00014/DIS	Land North Of Old Hall Farm, Kirkby Lonsdale Road, Over Kellet Discharge of conditions 3,4 and 6 on approved application 20/00405/REM for Oakmere Homes (Kellet Ward 2015 Ward)	Application Permitted
23/00036/DIS	Derby House, Pathfinders Drive, Lancaster Discharge of condition 3 on approved application 19/01569/LB for Oakmere Homes Oakmere Homes Ltd (Scotforth West Ward Ward)	Application Permitted
23/00061/DIS	Asda, Overage Road, Morecambe Discharge of condition 3 on approved application 22/01228/FUL for Miss Rebecca Yates (Westgate Ward Ward)	Application Permitted
23/00068/DIS	Moorside Farm, Grimeshaw Lane, Quernmore Discharge of conditions 3,4 and 5 on approved application 19/00771/FUL for Mr Richard Bethell (Lower Lune Valley Ward Ward)	Split Decision
23/00074/DIS	Croftlands, Cantsfield Road, Cantsfield Discharge of conditions 4, 7 and 8 on approved application 22/01483/FUL for Mr & Mrs G Atkinson (Upper Lune Valley Ward Ward)	Application Permitted
23/00075/DIS	Abbotsons Farm, Cantsfield Road, Cantsfield Discharge of condition 4 on approved application 22/01256/FUL for Mr & Mrs G Atkinson (Upper Lune Valley Ward Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00076/DIS	Lancaster Quaker Meeting House, Meeting House Lane, Lancaster Discharge of condition 3 on approved application 22/01281/LB for Jim Bennetts (Castle Ward Ward)	Application Permitted
23/00082/EIR	Sofidel UK, Caton Road, Quernmore Screening opinion for the demolition of part of existing warehouse building (B2) and detached outbuilding, refurbishment and recladding of remaining warehouse, installation of solar panels to the roof, erection of 2 storey rear office extension, associated access, parking, service yard, refuse storage, landscaping and drainage infrastructure for GVS Real Estate UK (Lower Lune Valley Ward Ward)	ES Not Required
23/00093/DIS	101 Westminster Road, Morecambe, Lancashire Discharge of condition 3 on approved application 22/01387/FUL for Mr George Cunningham (West End Ward Ward)	Application Permitted
23/00098/DIS	Middle Crag Farm, Starbank, Dolphinholme Discharge of conditions 3 and 5 on approved application 21/00428/FUL for Mr Ken Drinkwater (Ellel Ward Ward)	Application Permitted
23/00113/FUL	29A Stanhope Avenue, Morecambe, Lancashire Demolition of existing bungalow and garage, erection of four dwellings (C3) and alterations to existing access for Mr Peter Ball (Torrisholme Ward Ward)	Application Permitted
23/00126/FUL	Poplar Farm, Gulf Lane, Cockerham Change of use and conversion of 2 agricultural barns and land to 3 dwellings with associated parking and garden for Mr Redmayne (Ellel Ward Ward)	Application Withdrawn
23/00179/FUL	16 Hest Bank Lane, Hest Bank, Lancaster Erection of a single storey rear/side extension, installation of raised roof incorporating loft conversion, construction of dormer extensions to the front elevation, installation of first floor rear window and construction of raised patio area with balustrade for Mr Stuart Errington (Bolton And Slyne Ward Ward)	Application Refused
23/00182/FUL	29 Acre Moss Lane, Morecambe, Lancashire Erection of a two storey rear extension, single storey side extension and installation of a window to side elevation for Mr and Mrs Parkinson (Harbour Ward 2015 Ward)	Application Permitted
23/00190/LB	Wennington Old Farm And, Wennington Old Farm Cottage, Wennington Road Listed building application for demolition of part main dwellinghouse and erection of a single storey extension and raising of roof to the existing single storey extension to the North elevation, creation of a canopy, installation of ten rooflights and replacement of two rooflights, replacement windows and doors, repairs to existing guttering, down pipes and soil stack, erection of detached garage and carport, internal alterations including new staircases and reconfiguration of layout and re-roofing to the dwellinghouse; replacement roof and installation of 4 rooflights to the cottage, reroofing of attached barn; associated landscaping and alterations to land levels for Mr & Mrs Crabtree (Lower Lune Valley Ward Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00191/VCN	Wennington Old Farm And, Wennington Old Farm Cottage, Wennington Road Demolition of part main dwellinghouse and erection of a single storey extension and raising of roof to the existing single storey extension to the North elevation, creation of a canopy, installation of ten rooflights and replacement of two rooflights, replacement windows and doors, erection of detached garage and carport and re-roofing to the dwellinghouse; replacement roof and installation of 4 rooflights to the cottage, reroofing of attached barn; associated landscaping and alterations to land levels (pursuant to the variation of conditions 2 and 4 on planning permission 21/01051/FUL to amend the ground floor design and landscaping details) for Mr & Mrs Crabtree (Lower Lune Valley Ward Ward)	Application Permitted
23/00196/FUL	23 Yealand Road, Yealand Conyers, Carnforth Replacement of 13 windows to the front and rear elevations and French doors to front elevation for Mr Ian Knowles (Warton Ward Ward)	Application Permitted
23/00197/PAM	Public Footway Opposite Number 210, Lancaster Road, Morecambe Prior approval for the installation of 17m monopole, 3 ground-based equipment cabinets and associated ancillary development for Cignal Infrastructure UK Limited (Westgate Ward Ward)	Prior Approval Not Required
23/00203/FUL	Well House Farm , Wyresdale Road, Lancaster Demolition of existing porch with erection of replacement porch canopy and erection of a single storey extension to side elevation for Mr D Nicholls (John O'Gaunt Ward Ward)	Application Permitted
23/00249/LB	29 Queen Street, Lancaster, Lancashire Listed building application for internal alterations, installation of fire doors and installation of an extraction flue for Renolds (Castle Ward Ward)	Application Refused
23/00255/LB	23 Yealand Road, Yealand Conyers, Carnforth Listed building application to replace 13 windows to the front and rear elevations and French doors to front elevation for Mr & Mrs Louise & Glyn (Warton Ward Ward)	Application Permitted
23/00263/FUL	Land At The Rear Of, 17 Clarksfield Road, Bolton Le Sands Demolition of outbuilding and erection of one dwelling (C3) for Mr & Mrs Houseman (Bolton And Slyne Ward Ward)	Application Permitted
23/00264/FUL	Land At Grid Reference E346290 N475228, Spring Bank, Silverdale Erection of a single storey dwelling (C3) with associated package treatment plant, access and landscaping for Mr & Mrs Ian & Lilian Atkins (Silverdale Ward Ward)	Application Withdrawn
23/00273/LB	Bumblehole, Lodge Lane, Wennington Listed building application for the installation of 2 lights to the front elevation for Mr Jonathan Scott (Upper Lune Valley Ward Ward)	Application Permitted
23/00276/FUL	12 Redvers Street, Lancaster, Lancashire Construction of a dormer extension to the rear elevation for Mr J Cornthwaite (Marsh Ward Ward)	Application Withdrawn

LIST OF DELEGATED PLANNING DECISIONS

23/00280/FUL	Cantsfield Grange, Cantsfield Road, Cantsfield Erection of detached outbuilding for Mr Adrian Cresswell (Upper Lune Valley Ward Ward)	Application Permitted
23/00291/FUL	336 Marine Road Central, Morecambe, Lancashire Installation of four air source heat pumps to the rear, installation of solar panels to the rear flat roof for Mr Peter Brown (Poulton Ward Ward)	Application Permitted
23/00293/LB	336 Marine Road Central, Morecambe, Lancashire Listed building application for internal works between ground/first floor for the provision of lift shaft, installation of four air source heat pumps to the rear, installation of solar panels to the rear flat roof for Mr Peter Brown (Poulton Ward Ward)	Application Permitted
23/00294/RCN	Parklands, Bailrigg Lane, Lancaster Outline application for the erection of a bungalow for an agricultural worker (pursuant to the removal of condition 3 on application 1/84/137 relating to occupancy by an agricultural worker) for John and Christine Parker and Farrington (University And Scotforth Rural Ward)	Application Withdrawn
23/00296/FUL	1 Peacock Crescent, Hest Bank, Lancaster Erection of a first floor upward extension to convert bungalow to a two-storey dwelling and erection of single storey rear extension for Mr & Mrs Scott Fisher (Bolton And Slyne Ward Ward)	Application Refused
23/00310/FUL	18 St Johns Avenue, Silverdale, Carnforth Construction of 2 dormer extensions to the side elevations, erection of a verandah to the rear and installation of cladding to the front elevation for Mr & Mrs Harrison (Silverdale Ward Ward)	Application Withdrawn
23/00353/FUL	Moorlands, Slaidburn Road, Lowgill Erection of agricultural polytunnel for Mr Andrew Illingworth (Lower Lune Valley Ward Ward)	Application Permitted
23/00358/FUL	3 Artle Mews, Caton, Lancaster Internal remodelling to the ground and first floor, including new partitions and internal doors, proposed rear rooflights (3.no), new kitchen and ensuite, with associated drainage, safety glazing / balustrade to existing rear roof terrace, new external bi-fold doors to the rear elevation to replace existing external doors and window for Mrs Fiona Leinster - Evans (Lower Lune Valley Ward Ward)	Application Permitted
23/00365/FUL	Slyne With Hest Football Club, Bottomdale Road, Slyne Erection of a single storey extension to the front, side and rear of existing changing rooms to form a clubhouse and retention of storage container for Slyne Football Club (Bolton And Slyne Ward Ward)	Application Refused

LIST OF DELEGATED PLANNING DECISIONS

23/00376/VCN	Land To The Rear Of Kirklands And Hanging Green Lane, Hest Bank, Lancashire Erection of 2 dwellings and creation of an access road with associated landscaping (pursuant to variation of condition 1 to amend previously approved floor plans, elevations and site plan, condition 7 in relation to materials, condition 8 in relation to surfacing treatment, condition 9 in relation to bat box locations and condition 10 in relation to landscaping on planning permission 22/01572/VCN) for Lee Grant (Bolton And Slyne Ward Ward)	Application Permitted
23/00379/FUL	Friars Moss, Friars Moss Road, Quernmore Erection of an agricultural storage building for Mr Chris Batty (Lower Lune Valley Ward Ward)	Application Permitted
23/00397/FUL	21 Sea View Drive, Hest Bank, Lancaster Erection of single storey rear extensions and construction of a raised decking to the rear for Mr Dave Lowis (Bolton And Slyne Ward Ward)	Application Permitted
23/00400/FUL	Primary Substation, Scotforth Road, Lancaster Erection of a fence to the east for Mr Gareth Barton (University And Scotforth Rural Ward)	Application Permitted
23/00409/PAM	William Thompson Hall, University Of Cumbria, Bowerham Road Prior approval application for the installation of 6 replacement rooftop antennas with quadpod support structures, 2 dishes and associated infrastructure for Cornerstone (John O'Gaunt Ward Ward)	Prior Approval Granted
23/00410/FUL	34 Peacock Lane, Hest Bank, Lancaster Part retrospective application for demolition of existing garage and erection of new garage at the rear and erection of a single storey rear extension and two storey side extension for Mr Chris Hudson (Bolton And Slyne Ward Ward)	Application Permitted
23/00415/FUL	3 Hornby Road, Caton, Lancaster Construction of awning to the front elevation for Pablo Engl (Lower Lune Valley Ward Ward)	Application Permitted
23/00421/FUL	Post Office, 99 - 101 Main Street, Warton Change of use of commercial unit (E) to provide additional floor space for an existing dwelling (C3), removal of shopfront with installation of windows for Mrs Evelyn Anderson (Warton Ward Ward)	Application Permitted
23/00426/FUL	Cannondale , Westbourne Road, Lancaster Erection of a single storey rear extension and installation of window to the rear elevation for Ben Cooper (Marsh Ward Ward)	Application Permitted
23/00428/PLDC	4 Hestham Drive, Morecambe, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Miss Rachel Morley (Harbour Ward 2015 Ward)	Lawful Development Certificate Granted
23/00429/FUL	Lower Barn, Littledale Road, Littledale Retrospective application for the creation of hardstanding and access track for Mr Andrew Riley (Lower Lune Valley Ward Ward)	Application Permitted
23/00433/FUL	Oak House, Spout Lane, Wennington Part conversion of existing garage to utility room and replacement of existing garage door with window for Mr Malcolm Fell (Upper Lune Valley Ward Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00436/FUL	1 Stonewell, Lancaster, Lancashire Installation of replacement door to side elevation, timber shop front, timber cornice, timber cladding, reroofing, repairs to existing dormers and replacement rainwater goods and windows to upper floors for Mr P Bellwood (Bulk Ward Ward)	Application Permitted
23/00440/FUL	64 - 66 Queen Street, Morecambe, Lancashire Change of use of existing mixed use unit comprising retail on the ground floor with residential above to mixed use unit comprising retail unit (E) on ground floor, 2 2-bed apartments (C3) and 2 3-bed apartments (C3), construction of a dormer, installation of replacement windows and erection of bin store for Mr Mark Lambert (Poulton Ward Ward)	Application Permitted
23/00444/FUL	8 Church Park, Overton, Morecambe Erection of a single storey rear extension for Mr P. Parkinson (Overton Ward Ward)	Application Permitted
23/00447/FUL	98 Euston Road, Morecambe, Lancashire Change of use from retail shop (Class E) to 1 bed-apartment (Class C3) and construction of bay window and doorway to the ground floor front elevation, installation of windows to the rear elevation and door to the side elevation for Mr R. Blackett (Poulton Ward Ward)	Application Permitted
23/00450/FUL	10 Woodhill Avenue, Morecambe, Lancashire Demolition of rear conservatory, construction of a raised terrace and installation of external steps for Joanne Ainscough (Harbour Ward 2015 Ward)	Application Permitted
23/00451/FUL	Johnson House, Burrow Road, Burrow Installation of solar panels on roof of agricultural building with underground cabling for Mr David Middleton (Upper Lune Valley Ward Ward)	Application Permitted
23/00452/FUL	20 Greenwood Avenue, Bolton Le Sands, Carnforth Construction of a hip to gable extension and dormer extension to the rear elevation for Mr Simon Wilson (Bolton And Slyne Ward Ward)	Application Permitted
23/00454/FUL	14 Clevelands Grove, Morecambe, Lancashire Erection of a single storey side and rear extension for Mr & Mrs Heartwell (Harbour Ward 2015 Ward)	Application Permitted
23/00455/FUL	16 Hanging Green Lane, Hest Bank, Lancaster Erection of an outbuilding for Mr Ben Ryan (Bolton And Slyne Ward Ward)	Application Permitted
23/00456/FUL	3 Manor Drive, Slyne, Lancaster Demolition of existing attached outhouse, erection of single storey side/rear extension and construction of front porch for Mr Curtis Urban (Bolton And Slyne Ward Ward)	Application Permitted
23/00458/FUL	7 Craggs View, Over Kellet, Carnforth Retrospective application for the erection of a single storey rear extension for Mr Gary Midgley (Kellet Ward 2015 Ward)	Application Permitted
23/00464/FUL	Old School Lodge, Main Street, Whittington Erection of a storage shed for Mr Philip Steel (Upper Lune Valley Ward Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00469/ELDC	15 Leslie Avenue, Caton, Lancaster Existing lawful development certificate for the lawful commencement of planning permission 16/00098/FUL for Mr Robert Taylor (Lower Lune Valley Ward Ward)	Lawful Development Certificate Granted
23/00470/FUL	28 Clifton Drive, Morecambe, Lancashire Erection of a single storey side/rear extension for Mr Graham Dent (Bare Ward Ward)	Application Permitted
23/00473/FUL	22 Tranmere Avenue, Heysham, Morecambe Erection of a single storey side and rear extension and conversion of existing garage into annexe for Ms V. Hawker (Heysham Central Ward Ward)	Application Permitted
23/00475/FUL	Elpha House , Netherbeck, Carnforth Erection of a single storey side extension and construction of external steps for Mr S Westworth (Carnforth And Millhead Ward Ward)	Application Permitted
23/00477/ELDC	22 Norfolk Street, Lancaster, Lancashire Existing lawful development certificate for the use of the property as HMO (C4) for Mr Roger Bozon (Skerton East Ward 2015 Ward)	Lawful Development Certificate Granted
23/00479/CU	5 Ousby Avenue, Morecambe, Lancashire Change of use of dwelling (C3) to a residential care home for children (C2) for Mr Andy Boardman (Westgate Ward Ward)	Application Permitted
23/00481/LB	Brookhouse Old Hall, Brookhouse Road, Brookhouse Listed building application for the reinstatement of date stone and repair of internal staircase for Martin Horner (Lower Lune Valley Ward Ward)	Application Permitted
23/00482/FUL	374 Marine Road East, Morecambe, Lancashire Change of use from bed and breakfast (C1) to holiday let (Sui Generis) for Mr Elliot Clapp (Poulton Ward Ward)	Application Permitted
23/00484/FUL	2 Pemberton Drive, Morecambe, Lancashire Demolition of existing conservatory with erection of replacement single storey front extension with canopy, installation of solar panels to east roof slope, construction of hip to gable roof and dormer extension to rear elevation including the installation of solar panels for Mr & Mrs McMeeking (Torrisholme Ward Ward)	Application Permitted
23/00487/FUL	10 Washington Drive, Warton, Carnforth Erection of a detached outbuilding to the rear for Mr Tom McCluskey (Warton Ward Ward)	Application Permitted
23/00491/PLDC	11 Prospect Drive, Hest Bank, Lancaster Proposed lawful development certificate for the demolition of existing utility room and erection of a single storey side extension for Mr Darren Foster (Bolton And Slyne Ward Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

23/00498/VCN	28 Stankelt Road, Silverdale, Carnforth Demolition of existing rear rotunda and porch and erection of replacement porch, conversion of existing garage to ancillary living accommodation with erection of a single storey side extension and glazed link extension, erection of a single storey extension to front and side to include replacement garage with associated landscaping (pursuant to the variation of condition 2 on planning permission 22/01372/FUL to amend plans to alter the layout of the potting shed and green house and extend the single storey side extension) for Mr & Mrs Blaydes (Silverdale Ward Ward)	Application Permitted
23/00512/FUL	68 Slyne Road, Lancaster, Lancashire Erection of a dormer extension to the rear elevation and single storey extension infill to the rear for Mr & Mrs Porter (Skerton East Ward 2015 Ward)	Application Permitted
23/00515/FUL	14 Briarlea Road, Nether Kellet, Carnforth Erection of a single storey rear extension for ms lawton (Kellet Ward 2015 Ward)	Application Permitted
23/00518/FUL	Land At Grid Reference E352250 N470040, Kirkby Lonsdale Road, Over Kellet Erection of a dwelling (C3) with associated access for Mr & Mrs Guy Constantine (Kellet Ward 2015 Ward)	Application Refused
23/00525/FUL	Parklands View, Borwick Road, Capernwray Erection of a single storey side extension, construction of raised decking to the rear and installation of solar panels to the front elevation for Mr and Mrs Brain Wickens (Kellet Ward 2015 Ward)	Application Withdrawn
23/00526/FUL	5 Littledale Avenue, Heysham, Morecambe Demolition of existing conservatory and erection of a single storey wrap around extension to the side and rear for Ms V. Rothwell (Heysham Central Ward Ward)	Application Permitted
23/00532/PLDC	3 Towpath Walk, Carnforth, Lancashire Proposed Lawful Development Certificate for the demolition of front boundary wall for Mr David Crossland (Carnforth And Millhead Ward Ward)	Lawful Development Certificate Granted
23/00542/FUL	6 Hunters Gate, Lancaster, Lancashire Erection of a single storey rear extension and front porch for Mr & Mrs Smith (Scotforth West Ward Ward)	Application Permitted
23/00545/FUL	5 Wythop Croft, Morecambe, Lancashire Part retrospective application for the demolition of existing garage, erection of single storey front extension, construction of new roof to existing side extension and installation of render to all elevations for Mr William Gardner (Westgate Ward Ward)	Application Permitted
23/00546/PLDC	28 Merefell Road, Bolton Le Sands, Carnforth Proposed Lawful Development Certificate for the erection of a single storey rear extension, construction of a hip to gable extension, construction of a dormer extension to the rear and installation of 2 roof lights to the front elevation for Mr Ryan Terry (Bolton And Slyne Ward Ward)	Lawful Development Certificate Granted

LIST OF DELEGATED PLANNING DECISIONS

23/00547/PAH	8 Dunkirk Avenue, Carnforth, Lancashire Prior approval for the erection of a 4.0 metre deep, single storey rear extension with a maximum roof height of 3.1 metres and a maximum eaves heights of 2.6 metres for Lancaster City Council (Carnforth And Millhead Ward Ward)	Prior Approval Not Required
23/00550/PLDC	6 Easdale Avenue, Morecambe, Lancashire Proposed lawful development certificate for the construction of hip to gable conversion and rear dormer with single story side extension and installation of 3 roof lights to the front elevation for Mr Luke Ellis (Bare Ward Ward)	Lawful Development Certificate Granted
23/00551/FUL	Halton Green House, Green Lane, Halton Installation of ground mounted solar PV panels, associated electrical equipment and battery housing for Mr Warren Cadman (Halton-with-Aughton Ward 2015 Ward)	Application Permitted
23/00552/FUL	23 Redwood Drive, Morecambe, Lancashire Erection of a porch to the front for Mr Matt Catterall (Bare Ward Ward)	Application Permitted
23/00558/FUL	44 Twemlow Parade, Heysham, Morecambe Demolition of existing conservatory and erection of single storey rear and side extensions for Mr and Mrs J Easthope (Heysham Central Ward Ward)	Application Permitted
23/00572/PLDC	12 Canterbury Avenue, Lancaster, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension and dormer extension to the rear elevation for Mr Martin Perez (John O'Gaunt Ward Ward)	Lawful Development Certificate Granted
23/00577/PLDC	Barn Cottage, Whitebeck Lane, Priest Hutton Proposed lawful development certificate for erection of single storey extension to existing barn for Christopher Broadbent (Kellet Ward 2015 Ward)	Application Withdrawn
23/00578/FUL	36 Bay Horse Drive, Lancaster, Lancashire Erection of a single storey side and rear extension and erection of porch to the front elevation for Mr Adam Wood (Scotforth East Ward Ward)	Application Permitted
23/00580/AD	Lower Addington Farm, Birkland Barrow Road, Nether Kellet Agricultural determination for the erection of 5 silos for Stonegate Agriculture LTD (Kellet Ward 2015 Ward)	Prior Approval Refused
23/00586/PAH	28 Morecambe Road, Lancaster, Lancashire Erection of a 4.4 metre deep, single storey rear extension with a maximum roof height of 3.288 metres and a maximum eaves heights of 2.797 metres for Mr T Lamb & Ms J Dyer (Skerton West Ward 2015 Ward)	Prior Approval Not Required
23/00587/PAH	Dunoon, 29 Shaw Lane, Nether Kellet Erection of a 4 metre deep, single storey rear extension with a maximum roof height of 3.132 metres and a maximum eaves heights of 2.667 metres for Mr And Mrs Smith (Kellet Ward 2015 Ward)	Application Withdrawn
23/00590/FUL	Hill Crest, Grange View, Warton Erection of a single storey wrap around extension to side and rear for Mr and Mrs Tom Carling (Carnforth And Millhead Ward Ward)	Application Permitted

LIST OF DELEGATED PLANNING DECISIONS

23/00592/PLDC	107 Bare Lane, Morecambe, Lancashire Proposed lawful development certificate for the construction of a hip to gable extension and dormer extension to the rear elevation for Mr.& Mrs. S. Cragg (Bare Ward Ward)	Lawful Development Certificate Granted
23/00596/PLDC	2 Lonsdale Place, Lancaster, Lancashire Proposed lawful development certificate for erection of single storey rear extension for Mrs. E. Stepaniuk (Scotforth West Ward Ward)	Lawful Development Certificate Granted
23/00598/PLDC	59 Morecambe Road, Morecambe, Lancashire Proposed lawful development certificate for a single storey rear extension, construction of a dormer extension to side elevation with attic conversion for Miss A. Flint (Torrisholme Ward Ward)	Lawful Development Certificate Granted
23/00603/EIR	228 - 235 Marine Road Central, Morecambe, Lancashire Screening request for the demolition of existing buildings and proposed construction of a hotel (Use Class C1) with ancillary facilities, landscaping and associated works for TAG Morecambe Limited (Poulton Ward Ward)	ES Not Required
23/00606/AD	The Hill, Fairheath Road, Tatham Agricultural Determination for erection of machinery storage building/workshop and hardstanding for Mr Andrew Staveley (Lower Lune Valley Ward Ward)	Prior Approval Refused
23/00608/FUL	113 Broadway, Morecambe, Lancashire Demolition of existing garage and rear extension, erection of single storey rear and side extension, construction of a dormer extension to the side and rear elevation and erection of a single storey garden room to rear for Mr Paramjit Singh (Bare Ward Ward)	Application Permitted
23/00610/PLDC	16 Broadlands Drive, Bolton Le Sands, Carnforth Proposed lawful development certificate for the erection of a single storey extension to rear for Mr.&Mrs B. Albiston (Bolton And Slyne Ward Ward)	Lawful Development Certificate Granted
23/00635/AD	Brown Edge Farm, Lancaster Brow, Arkholme Agricultural determination for the erection of a storage building for Messrs WJ and LA Barker (Halton-with-Aughton And Kellet Ward Ward)	Prior Approval Not Required
23/00717/EIR	Moss Farm, Hawes Villa Caravan And Campervan Park, Moss Lane Screening opinion for the erection of a dwelling with detached garage for Mr And Mrs Lawton (Silverdale Ward Ward)	ES Not Required